

# 1 Creating the Constitution

## TERMS & NAMES

Articles of Confederation  
Constitutional Convention  
Virginia Plan  
New Jersey Plan  
Great Compromise  
Three-Fifths Compromise

## MAIN IDEA

The states sent delegates to a convention to solve the weaknesses of the Articles of Confederation.

## WHY IT MATTERS NOW

The Constitutional Convention formed the plan of government that the United States still has today.

## ONE AMERICAN'S STORY

In the mid-1780s, Massachusetts faced serious economic problems, as did other states. People had little money, but the state continued to demand high taxes. Many people, such as Revolutionary War veteran Daniel Shays, fell deeply into debt. People who could not repay their debts would have their property sold at an auction. If the auction did not raise enough money to settle the debts, officials could put the debtor in jail.

Farmers asked the Massachusetts legislature to provide debt relief. But the legislators refused—and the farmers rebelled. Daniel Shays was one of the leaders of the rebellion. In January 1787, Shays and his men marched on a federal arsenal, a place to store weapons. Nine hundred soldiers from the state militia defended the arsenal. The militia quickly defeated Shays's men. But Shays's Rebellion, as the uprising came to be known, won the sympathy of many people. America's leaders realized that an armed uprising of common farmers spelled danger for the nation.

Some leaders hoped that strengthening the national government could solve the nation's ills. In this section, you will read how Americans held a convention to change the Articles of Confederation.



A stone marker rests on the spot of Shays's Rebellion.

## The Articles of Confederation

During the Revolutionary War, Americans realized that they needed to unite to win the war against Britain. In 1776, the Continental Congress began to develop a plan for a national government. The Congress eventually arrived at a final plan, called the Articles of Confederation.

Under the Articles, the national government had few powers because many Americans feared that a strong government would threaten liberty. A Confederation Congress ran the national government. Each state had one vote in the Congress. The national government had the power to wage war, make peace, and sign treaties. But the Articles left most important powers to the states. Those powers included the authority to

## U.S. Government, 1776–1787

### Successes of the Continental Congress

- Governed the nation during the Revolutionary War
- Negotiated the Treaty of Paris at the end of the war
- Passed the Land Ordinance of 1785
- Passed the Northwest Ordinance (1787)

- Lacked power to enforce laws
- Lacked power to levy taxes
- Lacked power to regulate trade among the states
- Required all 13 states to approve changes in the Articles

### Weaknesses of the Articles of Confederation

#### SKILLBUILDER Interpreting Charts

1. What do you think was the greatest success of the Continental Congress?
2. What do you think was the greatest weakness of the Articles of Confederation?

set taxes and enforce national laws. The Articles also proposed to leave the states in control of the lands west of the Appalachians.

The Continental Congress passed the Articles of Confederation in November 1777. It then sent the Articles to the states for ratification, or approval. By July 1778, eight states had ratified the Articles. But some of the small states that did not have Western land claims refused to sign. They argued that states that owned Western lands had an advantage because they could sell the land to pay off debts left from the Revolution. States without lands would have difficulty paying off the high war debts. Eventually, all the states gave up their claims to Western lands. The small states then ratified the Articles.

One task the Confederation Congress faced was to decide how to handle the Western lands it now controlled. Congress passed

important laws on how to divide and govern these lands. The Land Ordinance of 1785 outlined how the land would be divided. (See Geography in History on pages 56–57.) And the Northwest Ordinance (1787) described how the land was to be governed.

Aside from its handling of land issues, however, the Confederation Congress had few successes. By the end of the Revolutionary War, the United States faced serious problems, such as those that led to Shays's Rebellion. Many states faced deep debts. They set high taxes to repay them, hurting poor people. In addition, Congress did not have the power to levy taxes to pay its own debts. Many people began to call for change.

## The Constitutional Convention

In 1786, a series of events began that would lead to a new form of government for the United States. In September, delegates from five states met in Annapolis, Maryland, to discuss ways to promote trade among their states. At the time, most states placed high taxes on goods from other states. The delegates to the Annapolis Convention believed that creating national trade laws would help the economies of all states.

#### ReadingHistory

**A. Finding Main Ideas** Why did the states without Western land claims want the other states to give up their claims?



### ReadingHistory

#### B. Making

**Inferences** Why didn't the Articles of Confederation give the national government the power to regulate trade among states?

Making such changes required amending the Articles of Confederation, because the national government had been granted no power to regulate trade among the states. The Annapolis delegates, led by Alexander Hamilton of New York, called for the states to send representatives to Philadelphia the following May to discuss such changes.

At first, many Americans doubted that the national government needed strengthening. But news of Shays's Rebellion in late 1786 and early 1787 quickly changed people's minds. Many citizens began to see the need for a government that could maintain order. Even so, they did not want a government so strong that it could not be controlled. James Madison later wrote about this problem.

#### A VOICE FROM THE PAST

If men were angels, no government would be necessary. If angels were to govern men, neither external nor internal controls on government would be necessary. In framing a government which is to be administered by men over men, the great difficulty lies in this: you must first enable the government to control the governed; and in the next place oblige it [the government] to control itself.

James Madison, *The Federalist* "Number 51"

This was the challenge that faced delegates to the **Constitutional Convention**, as the Philadelphia meeting became known. Among the delegates who would face this challenge were some of America's most famous men, including George Washington, Benjamin Franklin, and James Madison. In late May 1787, the convention officially began.

## The Virginia Plan

After establishing rules and electing a president, the delegates began the work of designing a new national government. On May 29, George Washington, who presided over the convention, recognized Edmund Randolph of Virginia as the first speaker. Randolph offered a plan for the new government that became known as the **Virginia Plan**. Madison, Randolph, and the other Virginia delegates had drawn up the plan while they waited for the convention to open.

The Virginia Plan proposed a government with three branches. The first branch was the legislature, which made the laws. The second branch was the executive, which enforced the laws. The third branch was the judiciary, which interpreted the laws.

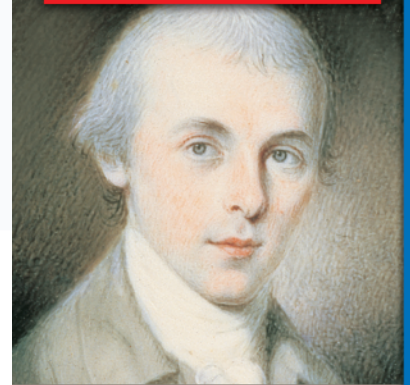
This plan also proposed a legislature with two houses. In both houses, the number of representatives from each state would be based on the state's population or its wealth. The legislature would have the power to levy taxes and regulate commerce.

### ReadingHistory

#### C. Summarizing

What was the Virginia Plan?

## AMERICA'S HISTORY MAKERS



JAMES MADISON

1751–1836

James Madison was a short, soft-spoken man, but he may have made the greatest contribution of any of the Founders at the Constitutional Convention. He took thorough notes of the convention's proceedings. His notes are the most detailed picture we have of the debates and drama of the convention.

But Madison did not just observe the convention. He was perhaps the most important participant. One of the other delegates called him "the best informed Man of any point in debate." Madison was so important that he earned the title "Father of the Constitution."

**How did Madison contribute to the Constitutional Convention?**

The Virginia Plan sparked weeks of debate. Larger states supported the plan because it would give them greater representation in the legislature. Smaller states opposed the plan because they worried that the larger states would end up ruling the others.

## The Great Compromise

In response to the Virginia Plan, New Jersey delegate William Paterson presented an alternative. The New Jersey Plan called for a legislature with only one house. In it, each state would have one vote. In providing equal representation to each state, the **New Jersey Plan** was similar to the Articles of Confederation.

The New Jersey Plan gave the legislature the power to regulate trade and to raise money by taxing foreign goods. But it did not offer the broad powers proposed by the Virginia Plan. The delegates voted on these two plans. The Virginia Plan won and became the framework for drafting the Constitution.

For weeks, the delegates argued over representation in the legislature. Emotions ran high as the delegates struggled for a solution. In desperation, the delegates selected a committee to work out a compromise in early July. The committee offered the **Great Compromise**.

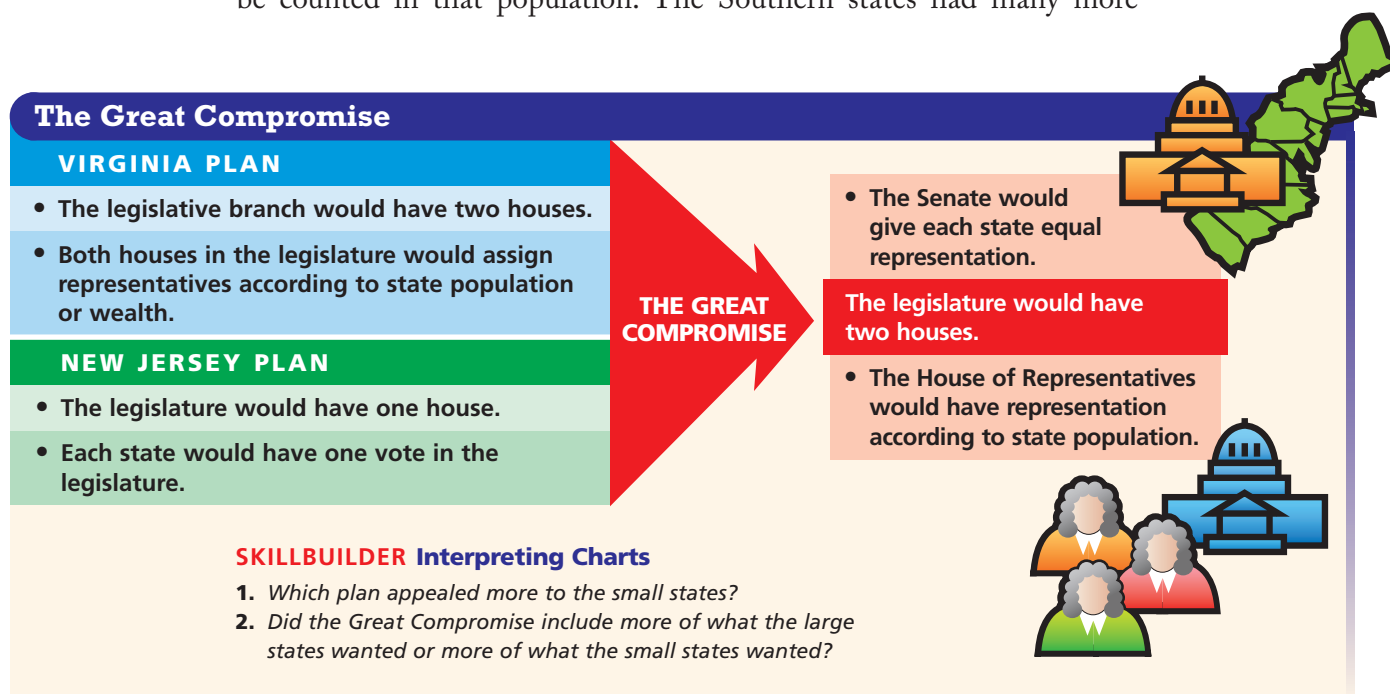
To satisfy the smaller states, each state would have an equal number of votes in the Senate. To satisfy the larger states, the committee set representation in the House of Representatives according to state populations. The convention passed the proposal on July 16.

### Background

Roger Sherman of Connecticut is widely credited with proposing the Great Compromise.

## Slavery and the Constitution

Because representation in the House of Representatives would be based on the population of each state, the delegates had to decide who would be counted in that population. The Southern states had many more



### ReadingHistory

#### D. Forming and Supporting Opinions

Did the delegates do the right thing in agreeing to the Three-Fifths Compromise? Explain.

slaves than the Northern states. Southerners wanted the slaves to be counted as part of the general population for representation but not for taxation. Northerners argued that slaves were not citizens and should not be counted for representation but should be counted for taxation.

On this issue, the delegates reached another compromise, known as the **Three-Fifths Compromise**. Under this compromise, three-fifths of the slave population would be counted when setting direct taxes on the states. This three-fifths ratio would also be used to determine representation in the legislature.

The delegates had another heated debate about the slave trade. Slavery had already been outlawed in several states. All of the Northern states and several of the Southern states had banned the importation of slaves. Many Northerners wanted to see this ban extended to the rest of the nation. But Southern slaveholders strongly disagreed. The delegates from South Carolina and Georgia stated that they would never accept any plan “unless their right to import slaves be untouched.” Again, the delegates settled on a compromise. They agreed that Congress could not ban the slave trade until 1808.

The Constitutional Convention continued to meet into September. On Saturday, September 15, 1787, the delegates voted their support for the Constitution in its final form. On Sunday, it was written out on four sheets of thick parchment. On Monday, all but three delegates signed the Constitution. It was sent, with a letter signed by George Washington, to the Confederation Congress, which sent it to the states for ratification. In the next section, you will read about the debate over ratification.

## Now and then

### PRESERVING THE CONSTITUTION

The National Archives is responsible for preserving the 200-year-old sheets of parchment on which the original Constitution was first written.

The Archives stores the document in an airtight glass case enclosed in a 55-ton vault of steel and concrete. Every few years, scientists examine the pages with the latest technology. For the last examination in 1995, they used fiber-optic light sources and computer-guided electronic cameras designed for space exploration.

## Section 1 Assessment

### 1. Terms & Names

#### Explain the significance of:

- Articles of Confederation
- Constitutional Convention
- Virginia Plan
- New Jersey Plan
- Great Compromise
- Three-Fifths Compromise

### 2. Taking Notes

Use a diagram like the one below to list some of the challenges Americans faced in shaping a new government.



Which challenge do you think was the toughest? Why?

### 3. Main Ideas

- a. What were the strengths and weaknesses of the Articles of Confederation?
- b. What is the significance of the date 1787?
- c. How did the Constitutional Convention reach a compromise on the issue of slavery?

### 4. Critical Thinking

**Analyzing Points of View**  
How did the delegates at the convention differ on the issue of representation in the new government?

#### THINK ABOUT

- the large states and the small states
- the Virginia Plan
- the New Jersey Plan
- the Great Compromise

### ACTIVITY OPTIONS

#### TECHNOLOGY

#### ART

Think about the Three-Fifths Compromise. Make an **audio recording** of a speech or draw a **political cartoon** that expresses your views on the issue.