



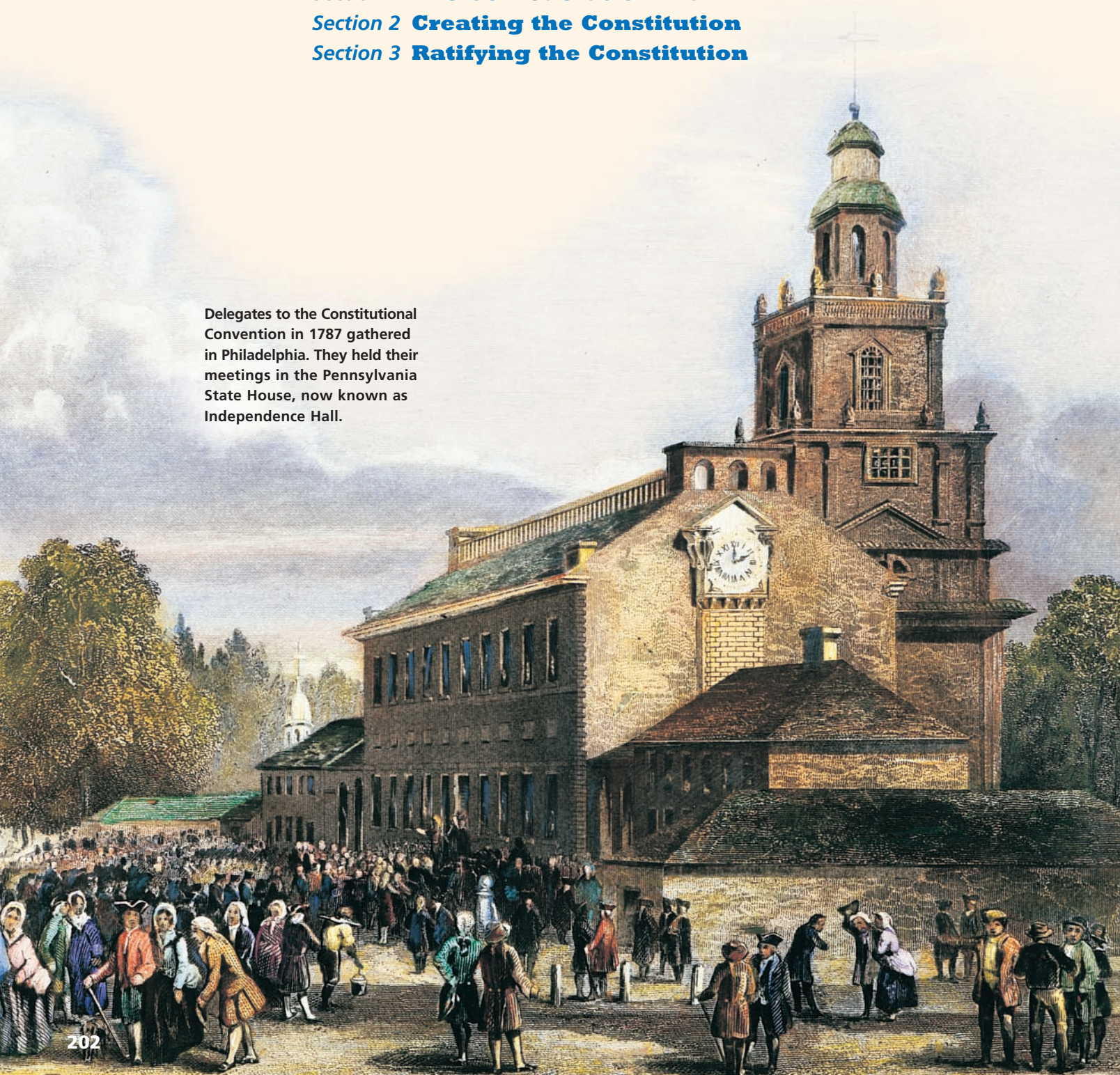
CHAPTER

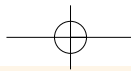
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Confederation to Constitution

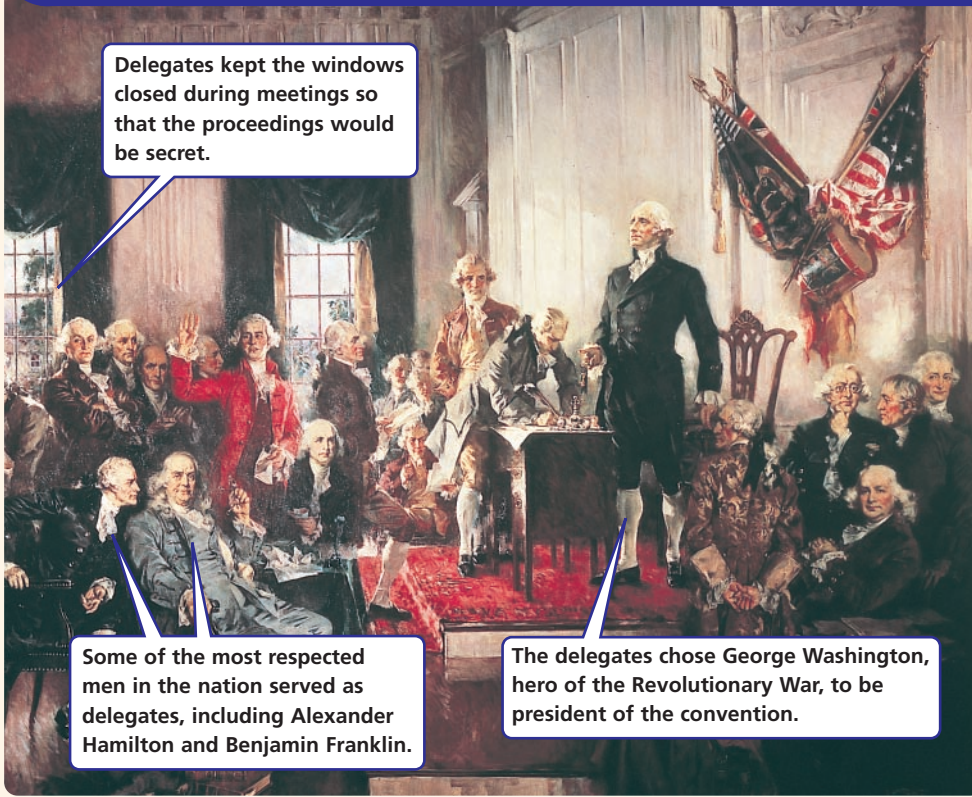
1776-1791**Section 1 The Confederation Era****Section 2 Creating the Constitution****Section 3 Ratifying the Constitution**

Delegates to the Constitutional Convention in 1787 gathered in Philadelphia. They held their meetings in the Pennsylvania State House, now known as Independence Hall.





Interact *with* History



Delegates kept the windows closed during meetings so that the proceedings would be secret.

Some of the most respected men in the nation served as delegates, including Alexander Hamilton and Benjamin Franklin.

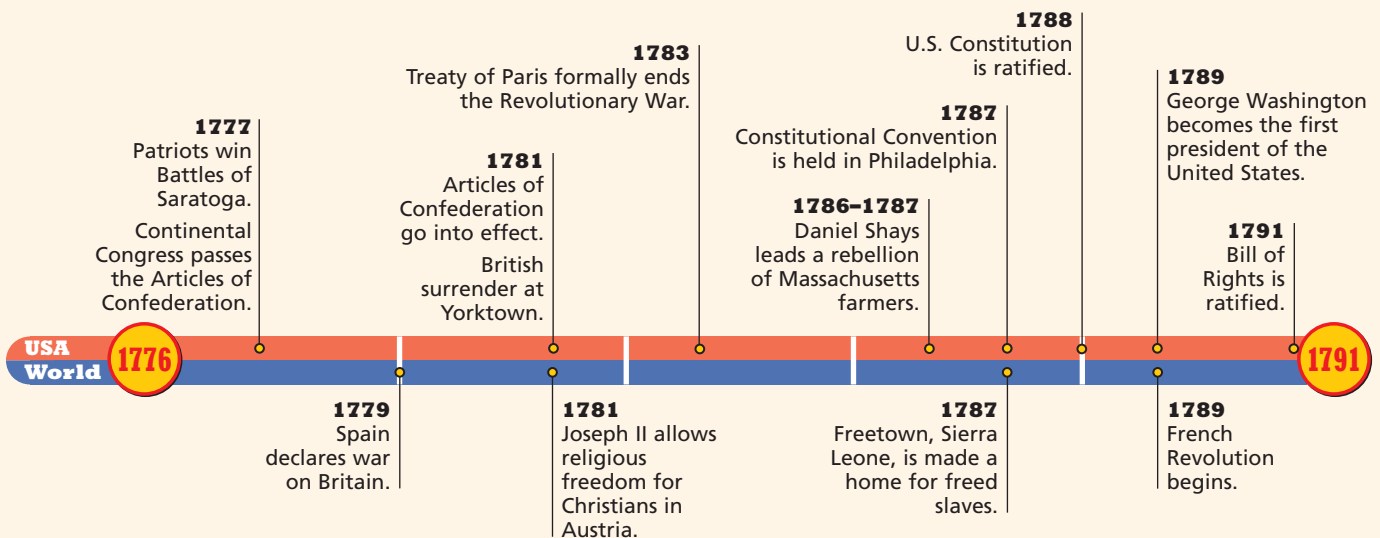
The delegates chose George Washington, hero of the Revolutionary War, to be president of the convention.

The year is 1787, and your young country needs to reform its government. Now everyone is wondering what the new government will be like. You have been called to a convention to decide how the new government should be organized.

What Do You Think?

- What will be your main goal in creating a new government?
- How will you get the people at the convention to agree on important issues?

How do you form a government?



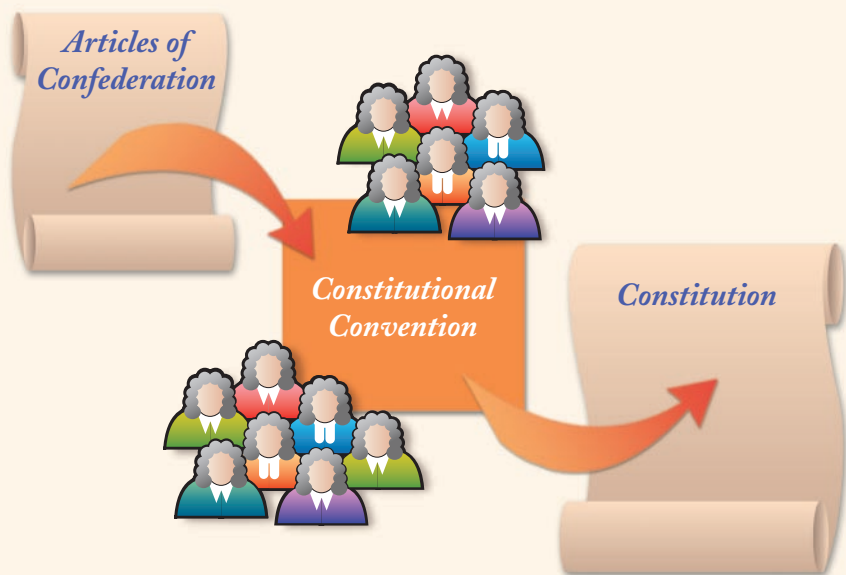


Chapter 8 SETTING THE STAGE

BEFORE YOU READ

Previewing the Theme

Democratic Ideals Between 1776 and 1791, the United States struggled to set up a national government. The Articles of Confederation established the first federal government. Chapter 8 explains how the weaknesses of the Articles led Americans to write a new constitution for the United States.




What Do You Know?

What do you think of when people talk about the U.S. government? Why do nations have governments? What does the U.S. government do?

THINK ABOUT

- what you've learned about the U.S. government from the news or your teachers
- what the purpose of a government is
- how the government affects your everyday life

What Do You Want to Know?

 What questions do you have about the creation of the U.S. Constitution? Write those questions in your notebook before you read the chapter.

READ AND TAKE NOTES

Reading Strategy: Solving Problems When you read history, look for how people solved problems they faced in the past. Copy the chart below in your notebook. Use it to identify the methods that

Americans used to solve the problems faced by the nation after declaring its independence.

 See Skillbuilder Handbook, page R18.

Problems	Solutions
Western lands	
Postwar depression	
Representation in the new government	
Slavery	



1 The Confederation Era

TERMS & NAMES

Wilderness Road
republic

Articles of
Confederation

Land Ordinance
of 1785

Northwest Territory

Northwest
Ordinance

Shays's Rebellion

MAIN IDEA

The Articles of Confederation were too weak to govern the nation after the war ended.

WHY IT MATTERS NOW

The weakness of the Articles of Confederation led to the writing of the U.S. Constitution.

ONE AMERICAN'S STORY

In 1775, Daniel Boone and 30 woodsmen cut a road over the Appalachian Mountains into Kentucky. They hacked through brush, chopped down trees, and bridged creeks. They labored like this for about 250 miles. Eventually, they arrived in a grassy meadow along the banks of the Kentucky River. Felix Walker, a member of Boone's party, described what they saw.

A VOICE FROM THE PAST

On entering the plain we were permitted to view a very interesting and romantic sight. A number of buffaloes . . . supposed to be between two and three hundred, made off . . . in every direction. . . . Such a sight some of us never saw before, nor perhaps ever may again.

Felix Walker, quoted in *The Life and Adventures of Daniel Boone*



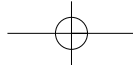
Boone was one of the earliest American settlers in Kentucky. In the late 1700s, most Americans thought of Kentucky as the wild frontier. Some, like Boone, looked at the frontier and saw a world of opportunity. Exploring and governing these lands was only one of the many challenges that faced the new government of the United States.

Early travel to Kentucky is shown in this detail of *Daniel Boone Escorting Settlers Through the Cumberland Gap* (1851–1852) by George Caleb Bingham.

Moving West

The trail into Kentucky that Daniel Boone helped build was called the **Wilderness Road**. This road was not easy to travel. It was too narrow for carts or wagons, but it became the main road into Kentucky. The settlers came on foot or on horseback. Settlers were drawn to Kentucky's rich river valleys, where few Native Americans lived. But some Native Americans, such as the Shawnee, did live, hunt, and fish in the area.

Tensions between Native Americans and settlers led to violent confrontations. But the settlers did not stop coming. By the early 1790s, about 100,000 Americans lived there. While settlers headed into the Western territories, the people in the East began to create new state governments.



New State Governments

Once the American colonies declared independence, each of the states set out to create its own government. The framers, or creators, of the state constitutions did not want to destroy the political systems that they had had as colonies. They simply wanted to make those systems more democratic. Some states experimented with creating separate branches of government, giving different powers to different branches. By creating separate branches, Americans hoped to prevent the government from becoming too powerful.

Some states included a bill of rights in their constitutions as a way to keep the government under control. The idea of a bill of rights came from the English Bill of Rights of 1689. This was a list of rights that the government guaranteed to English citizens.

Although not all the states had a bill of rights, all of them did have a republican form of government. In a **republic**, the people choose representatives to govern them.

Background

Two states, Connecticut and Rhode Island, kept their old colonial charters as their constitutions. The other 11 states wrote new constitutions.

The Articles of Confederation

While the states were setting up their governments, Americans also discussed the form of their national government. During the Revolutionary War, Americans realized that they needed to unite to win the war against Britain. As Silas Deane, a diplomat from Connecticut, wrote, “United we stand, divided we fall.”

In 1776, the Continental Congress began to develop a plan for a national government. Congress agreed that the government should be a republic. But the delegates disagreed about whether each state should have one vote or voting should be based on population. They also disagreed about whether the national government or the individual states should control the lands west of the Appalachians.

The Continental Congress eventually arrived at a final plan, called the **Articles of Confederation**. In the Articles, the national government had few powers, because many Americans were afraid that a strong government would lead to tyranny, or oppressive rule. The national government was run by a Confederation Congress. Each state had only one vote in the Congress. The national government had the power to wage war, make peace, sign treaties, and issue money.

But the Articles left most important powers to the states. These powers included the authority to set taxes and enforce national laws. The Articles proposed to leave the states in control of the lands west of the Appalachian Mountains.

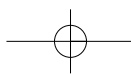


*“United we stand,
divided we fall.”*

Silas Deane

Reading History

A. Reading a Map Look at the map on page 207 to see which states claimed territories in the West.



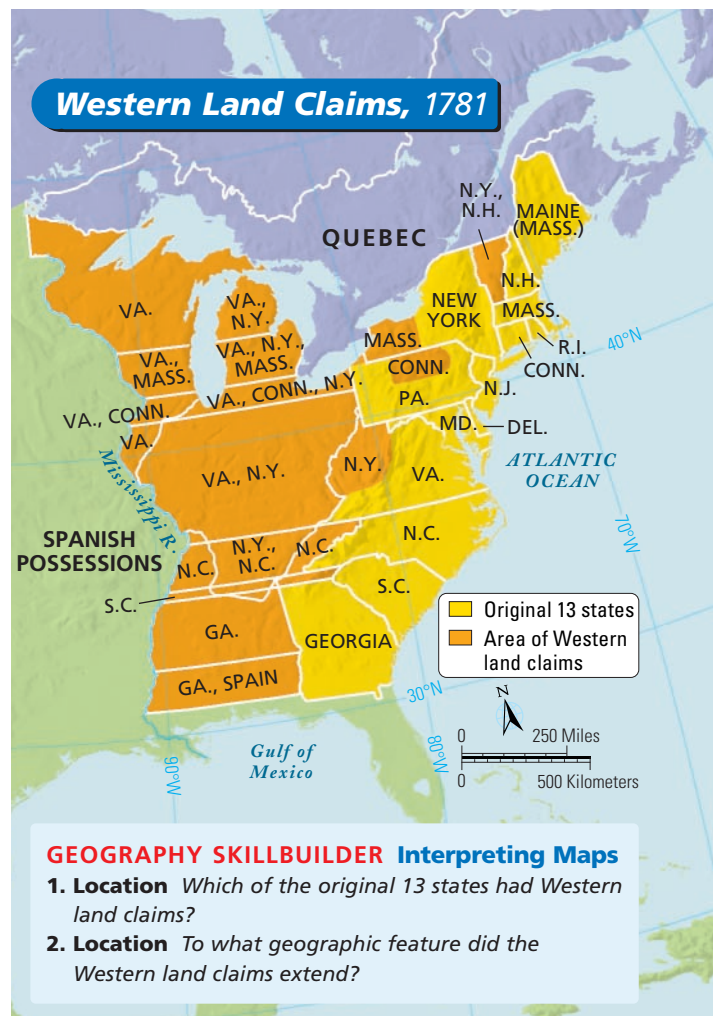
The Continental Congress passed the Articles of Confederation in November 1777. It then sent the Articles to the states for ratification, or approval. By July 1778, eight states had ratified the Articles. But some of the small states that did not have Western land claims refused to sign.

These states felt that unless the Western lands were placed under the control of the national government, they would be at a disadvantage. The states with Western lands could sell them to pay off debts left from the Revolution. But states without lands would have difficulty paying off the high war debts.

Over the next three years, all the states gave up their claims to Western lands. This led the small states to ratify the Articles. In 1781, Maryland became the 13th state to accept the Articles. As a result, the United States finally had an official government.

ReadingHistory

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



The Northwest Ordinance

One of the most important questions that the Confederation Congress faced was what to do with the Western lands that it now controlled. Congress passed important laws on how to divide and govern these lands—the Land Ordinance of 1785 and the Northwest Ordinance (1787). (See Geography in History on pages 210–211.)

The **Land Ordinance of 1785** called for surveyors to stake out six-mile-square plots, called townships, in the Western lands. These lands later became known as the **Northwest Territory**. The Northwest Territory included land that formed the states of Ohio, Indiana, Michigan, Illinois, and Wisconsin and part of Minnesota.

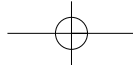
The **Northwest Ordinance** (1787) described how the Northwest Territory was to be governed. As the territory grew in population, it would gain rights to self-government. When there were 5,000 free males in an area, men who owned at least 50 acres of land could elect an assembly. When there were 60,000 people, they could apply to become a new state.

The Northwest Ordinance also set conditions for settlement in the Northwest Territory and outlined the settlers' rights. Slavery was outlawed, and the rivers were to be open to navigation by all. Freedom of religion and trial by jury were guaranteed.

The Northwest Ordinance was important because it set a pattern for the orderly growth of the United States. As the nation grew, it followed this pattern in territories added after the Northwest Territory.

Background

According to the Northwest Ordinance, Native Americans were to be treated fairly, and their lands were not to be taken from them.



Weaknesses of the Articles

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, and the Confederation Congress did not have enough power to solve them.

U.S. Government, 1776–1787



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?

Debt was a critical problem for the government. Congress had borrowed large sums to pay for the Revolutionary War. Much of that money was owed to soldiers of its own army. Upset at not being paid, several hundred soldiers surrounded the Pennsylvania State House where Congress was meeting in June 1783. The soldiers threatened the legislators, thrusting their bayonets through the windows. The delegates were forced to flee the city. The event was a clear sign of Congress's weakness.

Even if Congress wanted to pay the soldiers, it did not have the power to levy taxes. The national government depended on the states to send money to Congress. But the states sent very little money.

Congress was not alone in facing economic crises. People throughout the nation faced hard times. In Massachusetts, the economy was so bad that people rose up in arms against the government.

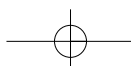
Reading History

C. Analyzing Causes How did debt cause problems for the U.S. government under the Articles of Confederation?

Shays's Rebellion

In the mid-1780s, Massachusetts faced economic problems, as did other states. People had little money, but the state continued to levy high taxes. The average family owed \$200 in taxes per year—more money than most farmers made. Many Massachusetts farmers fell deeply into debt. Debt laws at the time were strict. Anyone who could not repay his debts would have his property auctioned off. If the auction didn't raise enough money to settle the debts, the debtor could be put in jail. In western Massachusetts, many jails were packed with debtors.

Farmers asked the Massachusetts legislature to provide debt relief. But the legislature refused—and the farmers rebelled. One of the leaders of the rebellion was a Revolutionary War veteran named Daniel Shays. He commanded a group of about 1,500 men.



In January 1787, Shays and his men marched on a federal arsenal, a place to store weapons. The arsenal was defended by 900 soldiers from the state militia. The militia quickly defeated Shays’s men. But even though the militia put down **Shays’s Rebellion**, as the uprising came to be known, the farmers 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 the nation’s ills could be solved by strengthening the national government. In the next section, you’ll read how Americans held a convention to change the Articles of Confederation.

Shays’s rebels take over a Massachusetts courthouse. A stone marker rests on the spot of the rebellion.

Background

In 1788, Daniel Shays was pardoned for his actions.

Section **1** Assessment

1. Terms & Names

Explain the significance of:

- Wilderness Road
- republic
- Articles of Confederation
- Land Ordinance of 1785
- Northwest Territory
- Northwest Ordinance
- Shays’s Rebellion

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 issues affected the Western territories between 1775 and 1787?
- b. What were three successes of the Continental Congress?
- c. What were the strengths and weaknesses of the Articles of Confederation?

4. Critical Thinking

Forming and Supporting Opinions Which side would you have supported during Shays’s Rebellion—the farmers or the officials who called out the militia? Why?

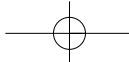
THINK ABOUT

- the farmers’ problems
- the farmers’ march on the arsenal
- the job of the government

ACTIVITY OPTIONS

CIVICS
GEOGRAPHY

Write an **opinion article** about how the United States should govern the Western territories or draw a **map** showing how you would have divided the lands.



GEOGRAPHY *in* HISTORY

REGION AND HUMAN-ENVIRONMENT INTERACTION

The Northwest Territory

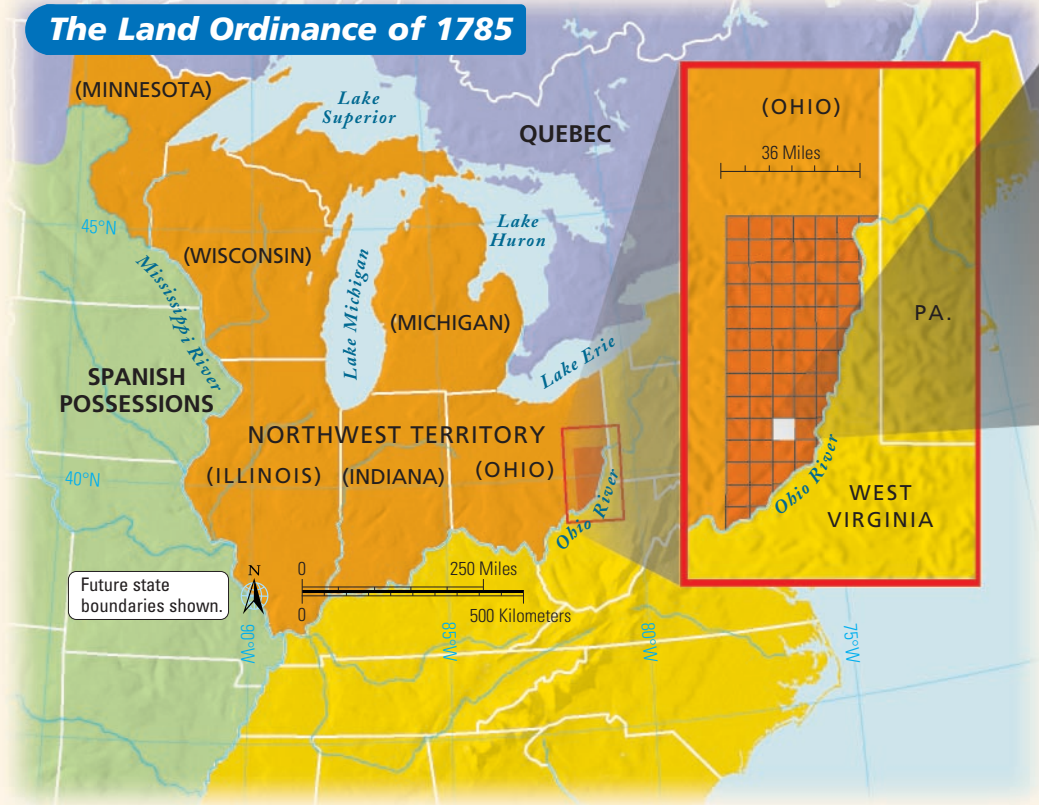
The Northwest Territory was officially known as “the Territory Northwest of the River Ohio.” In the mid-1780s, Congress decided to sell the land in the territory to settlers. The sale of land solved two problems. First, it provided cash for the government. Second, it increased American control over the land.

The Land Ordinance of 1785 outlined how the land in the Northwest Territory would be divided. Congress split the land into grids with clearly defined boundaries. It created townships that could be divided into sections, as shown on the map below. Each township was six miles by six miles. This was an improvement over earlier methods of setting boundaries. Previously, people had used rocks, trees, or other landmarks to set boundaries. There had been constant fights over disputed claims.

TOWNSHIP, 1785

36	30	24	18	12	6
35	29	23	17	11	5
34	28	22	16	10	4
33	27	21	15	9	3
32	26	20	14	8	2
31	25	19	13	7	1

Each township contained 36 sections. Each section was one square mile.



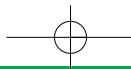
ARTIFACT FILE

The Theodolite The theodolite is a surveying tool. It consists of a telescope that can be moved from side to side and up and down. A theodolite measures angles and determines alignment. These functions are necessary for land surveyors to establish accurate boundaries for land claims.



Township Map Congress reserved several plots (outlined on map) for special purposes. A few were set aside for later sale to raise money for the government. One plot was reserved to support a local school.





1 The first things settlers needed were food and shelter. Cutting trees provided fields for crops and wood for log cabins. The first crop most farmers planted was corn. Even if the land was not fully cleared of trees, farmers planted corn between the stumps.

2 A shortage of labor meant that a farmer working alone was doing well if he cleared several acres a year. As a result, few farms were completely fenced in, and forest covered most of the property. Hogs were allowed to find food in the woods. Farmers collected apples from trees and used sap to make syrup.

3 Over time, families planted fruits and vegetables. Cattle raising also became more common. Beef cattle supplied families with meat. Dairy cattle provided milk. Families could sell extra fruits, vegetables, and dairy products, such as butter and cheese.

CONNECT TO GEOGRAPHY

- 1. Region** What was the land in the Northwest Territory like before Americans settled there?
- 2. Human-Environment Interaction** How did American settlers affect the landscape in the territory?

G See Geography Handbook, pages 4–5.

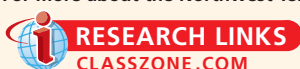
CONNECT TO HISTORY

- 3. Making Inferences** Why did so many people buy land in the new territory?

On-Line Field Trip

The Ohio Historical Society is located in Columbus, Ohio. It maintains a Web site called Ohio History Central that includes information on the Ohio portion of the Northwest Territory.

For more about the Northwest Territory . . .





2 Creating the Constitution

TERMS & NAMES

Constitutional Convention

James Madison

Virginia Plan

New Jersey Plan

Great Compromise

Three-Fifths Compromise

MAIN IDEA

The states sent delegates to a convention to solve the problems 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

On the afternoon of May 15, 1787, Edmund Randolph, the young governor of Virginia, arrived in Philadelphia for the Constitutional Convention. The young nation faced violence and lawlessness, as Shays's Rebellion had shown. And now delegates from throughout the states were coming to Philadelphia to discuss reforming the government.

Randolph knew the serious task he and the other delegates were about to undertake. Early in the convention, Randolph rose to speak. He looked squarely at the delegates and reminded them of their grave responsibility.

A VOICE FROM THE PAST

Let us not be afraid to view with a steady eye the [dangers] with which we are surrounded. . . . Are we not on the eve of [a civil] war, which is only to be prevented by the hopes from this convention?

Edmund Randolph, quoted in *Edmund Randolph: A Biography*

Over the next four months, the delegates debated how best to keep the United States from falling apart. In this section, you will read about the Convention of 1787 and the creation of the U.S. Constitution.

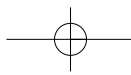


Edmund Randolph (left) and the other delegates gathered in the Pennsylvania State House (above) to discuss creating a new government for the United States.

A Constitutional Convention Is Called

In 1786, a series of events began that would eventually lead to a new form of government for the United States. In September of that year, 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 believed that creating national trade laws would help the economies of all the 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 many people's minds. Fearing that rebellion might spread, 12 states sent delegates to the meeting in Philadelphia in the summer of 1787. Only Rhode Island refused to participate.

Background

Rhode Island did not send delegates because it feared that a strong national government would force people to repay the war debts on difficult terms.

The Convention's Delegates

The 55 delegates to the **Constitutional Convention**, as the Philadelphia meeting became known, were a very impressive group. About half were lawyers. Others were planters, merchants, and doctors. Three-fourths of them had been representatives in the Continental Congress. Many had been members of their state legislatures and had helped write their state constitutions. Along with other leaders of the time, these delegates are called the Founders, or Founding Fathers, of the United States.

America's most famous men were at the Constitutional Convention. George Washington, the hero of the Revolution, came out of retirement for the meeting. Benjamin Franklin, the famous scientist and statesman, lent his wit and wisdom to the convention. One of the ablest delegates was **James Madison**. Madison had read more than a hundred books on government in preparation for the meeting. When Thomas Jefferson, serving as ambassador to France, read the list of delegates, he wrote, "It is really an assembly of demigods."

Not everyone was at the Constitutional Convention. Thomas Jefferson and John Adams were overseas at their diplomatic posts. But they wrote home to encourage the delegates. Others had a less positive outlook on the convention. For example, Patrick Henry, who had been elected as a delegate from Virginia, refused to attend. He said he "smelled a rat in Philadelphia, tending toward monarchy."

Also, the convention did not reflect the diverse U.S. population of the 1780s. There were no Native Americans, African Americans, or women among the delegates. The nation's early leaders did not consider these groups of people to be citizens and did not invite any of them to attend. However, the framework of government the Founders established is the very one that would eventually provide full rights and responsibilities to all Americans.

The Delegates Assemble

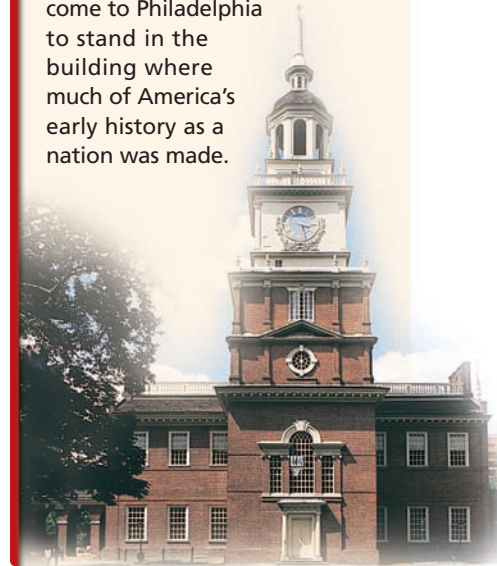
Most of the delegates arrived at the Constitutional Convention without a clear idea of what to expect. Some thought they would only draft

America's HERITAGE

INDEPENDENCE HALL

The Pennsylvania State House, where the Constitutional Convention took place, is now called Independence Hall. It is protected as part of a national park in Philadelphia.

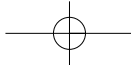
The State House itself was the site where George Washington received his commission to lead the Continental Army and where the Declaration of Independence was signed. The Liberty Bell is nearby. Many visitors come to Philadelphia to stand in the building where much of America's early history as a nation was made.



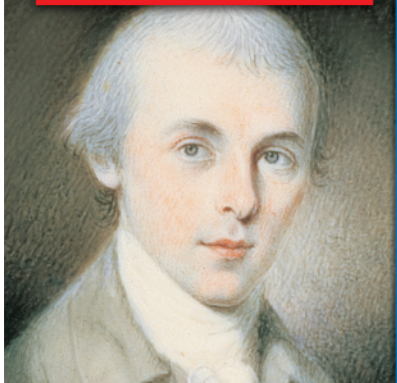
Reading History

A. Evaluating

How well do the characteristics of the Founders serve as models of civic virtue?



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?

amendments to the Articles of Confederation. Others thought they would design an entirely new plan for the government. But they all agreed that the government should protect people's rights.

Back in 1776, many Americans thought that government was the main threat to people's rights. But by 1787, many realized that the people often came into conflict and needed a government that could maintain order. As a result, the government had to be strong enough to protect people's rights but not too strong to be controlled. 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 the delegates: how to set up a strong but limited federal government. By May 25, 1787, at least two delegates from each of seven states had arrived in Philadelphia. With 29 delegates in attendance, the convention was officially under way.

The Convention Begins

The first order of business was to elect a president for the convention. Robert Morris of Pennsylvania nominated George Washington. No American was more respected or admired than Washington. Every delegate voted for him. Washington's quiet and dignified leadership set a solemn and serious tone for the convention.

ship set a solemn and serious tone for the convention.

At their next meeting, the delegates decided on the rules for the convention. They wanted to be able to consider all ideas and to be able to change sides in any debate. They did not want to be pressured by the politics of the day. For these reasons, they decided that their discussions would remain secret. To ensure privacy, the windows in their meeting room were kept shut even though it was summer. Guards were posted outside the door. Whenever the door was opened, the delegates stopped talking. With the secrecy rule approved, they got down to business.

The Virginia Plan

On May 29, the delegates began the real work of designing a new national government. Presiding over the convention, George Washington

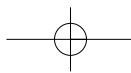
Reading History

B. Using Primary Sources

According to Madison, what is the central problem in framing a government?

Reading History

C. Making Decisions Do you agree with the Founders' decision to keep the convention secret? Why or why not?



The delegates at the Constitutional Convention debated the Constitution intensely.

recognized Edmund Randolph as the first speaker. Randolph offered a plan for a whole new government. The plan 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 that would have three branches. The first branch of government 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.

The Virginia Plan 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, regulate commerce, and make laws "in all cases where the separate states are incompetent [unable]."

The Virginia Plan led to weeks of debate. Because they had larger populations, larger states supported the plan. It would give them greater representation in the legislature. The smaller states opposed this plan. They worried that the larger states would end up ruling the others. Delaware delegate John Dickinson voiced the concerns of the small states.

"If men were angels, no government would be necessary."

James Madison

Reading History

D. Summarizing
What was the Virginia Plan?

A VOICE FROM THE PAST

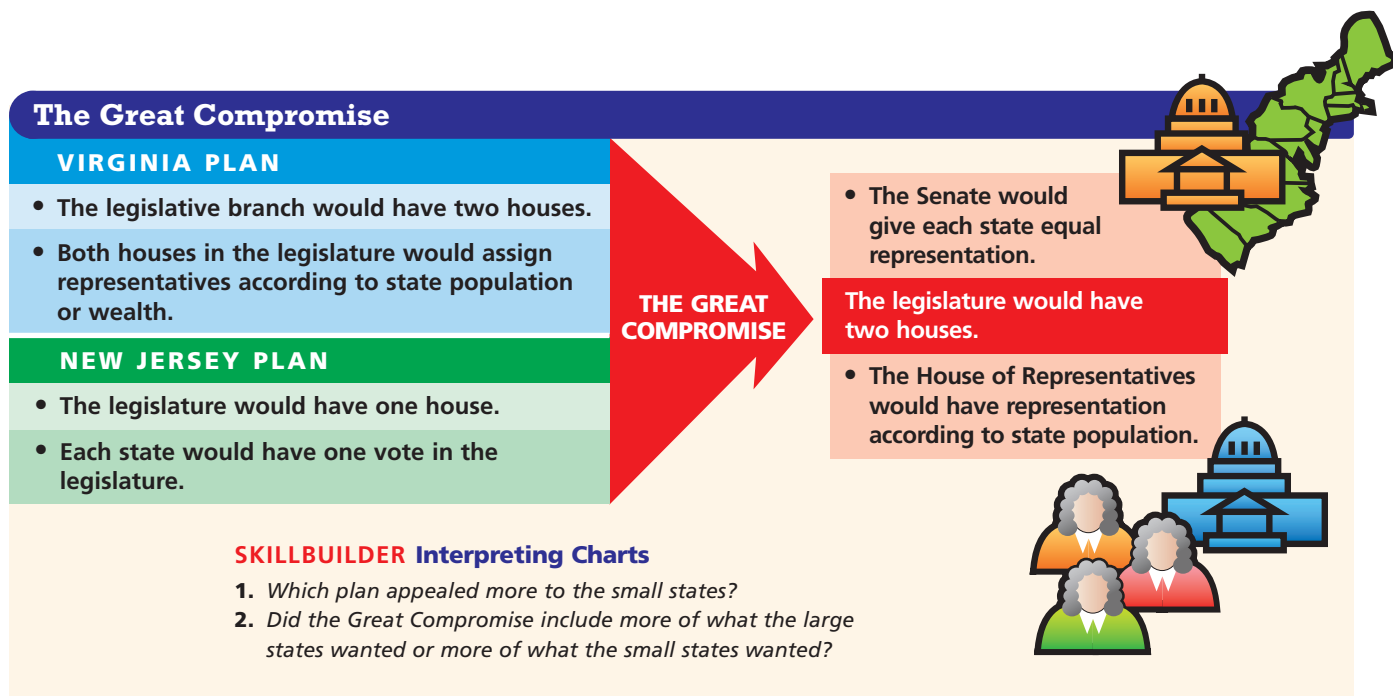
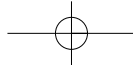
Some of the members from the small states wish for two branches in the general legislature and are friends to a good [strong] national government; but we would sooner submit [give in] to a foreign power than submit to be deprived, in both branches of the legislature, of an equal suffrage [vote], and thereby be thrown under the domination of the larger states.

John Dickinson, quoted in *Mr. Madison's Constitution*

The Great Compromise

In response to the Virginia Plan, New Jersey delegate William Paterson presented an alternative on June 15. 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.

Even though the New Jersey Plan gave the legislature the power to regulate trade and to raise money by taxing foreign goods, it did not offer the broad powers proposed by the Virginia Plan. The delegates



voted on these two plans on June 19. The Virginia Plan won and became the framework for drafting the Constitution.

During the rest of June, 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**. (Some people also refer to it as the Connecticut 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. More than a week of arguing followed the introduction of the plan, but on July 16, 1787, the convention passed it.

Slavery and the Constitution

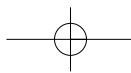
Because representation in the House of Representatives would be based on the population of each state, the delegates had to decide who would be counted in that population. The Southern states had many more slaves than the Northern states. Southerners wanted the slaves to be counted as part of the general 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 also would 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 Northern states. All of the Northern states and several of the Southern states had banned the

Background

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



ReadingHistory

E. Forming and Supporting Opinions Did the delegates do the right thing in agreeing to the Three-Fifths Compromise? Explain.

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. On August 29, they agreed that Congress could not ban the slave trade until 1808.

Regulating Trade

Aside from delaying any ban on the slave trade, the Constitution placed few limits on Congress’s power “to regulate commerce with foreign nations, and among the several states, and with the Indian tribes.” Most delegates were glad that Congress would regulate—and even promote—commerce. After all, commercial problems were the main cause of the Annapolis Convention in 1786. Southerners, however, succeeded in banning Congress from taxing exports because Southern economies depended on exports. The commerce clause also showed the shadowy status that Native Americans had under the Constitution. They were neither foreign nations nor part of the separate states.

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 then sent, with a letter signed by George Washington, to the Confederation Congress, which sent it to the states for ratification, or approval. 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 **2** Assessment

1. Terms & Names

Explain the significance of:

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

2. Taking Notes

Use a chart like the one below to take notes on the contributions made by the leading delegates at the Constitutional Convention.

Delegate	Contribution

3. Main Ideas

- a.** What was the relationship between the Annapolis Convention and the Constitutional Convention?
- 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.



3 Ratifying the Constitution

TERMS & NAMES

federalism

Federalists

Antifederalists

The Federalist
papers

George Mason

Bill of Rights

MAIN IDEA

Americans across the nation debated whether the Constitution would produce the best government.

WHY IT MATTERS NOW

American liberties today are protected by the U.S. Constitution, including the Bill of Rights.

ONE AMERICAN'S STORY

For a week in early January 1788, a church in Hartford, Connecticut, was filled to capacity. Inside, 168 delegates were meeting to decide whether their state should ratify the U.S. Constitution. Samuel Huntington, Connecticut's governor, addressed the assembly.

A VOICE FROM THE PAST

This is a new event in the history of mankind. Heretofore, most governments have been formed by tyrants and imposed on mankind by force. Never before did a people, in time of peace and tranquillity, meet together by their representatives and, with calm deliberation, frame for themselves a system of government.

Samuel Huntington, quoted in *Original Meanings*

The governor supported the new Constitution and wanted to see it ratified. Not everyone agreed with him. In this section, you will learn about the debates that led to the ratification of the Constitution.



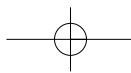
Samuel Huntington

Federalists and Antifederalists

By the time the convention in Connecticut opened, Americans had already been debating the new Constitution for months. The document had been printed in newspapers and handed out in pamphlets across the United States. The framers of the Constitution knew that the document would cause controversy. They immediately began to campaign for ratification, or approval, of the Constitution.

The framers suspected that people might be afraid the Constitution would take too much power away from the states. To address this fear, the framers explained that the Constitution was based on federalism. **Federalism** is a system of government in which power is shared between the central (or federal) government and the states. Linking themselves to the idea of federalism, the people who supported the Constitution took the name **Federalists**.

People who opposed the Constitution were called **Antifederalists**. They thought the Constitution took too much power away from the



Vocabulary

aristocracy:

a group or class considered superior to others

states and did not guarantee rights for the people. Some were afraid that a strong president might be declared king. Others thought the Senate might turn into a powerful aristocracy. In either case, the liberties won at great cost during the Revolution might be lost.

Antifederalists published their views about the Constitution in newspapers and pamphlets. They used logical arguments to convince people to oppose the Constitution. But they also tried to stir people’s emotions by charging that it would destroy American liberties. As one Antifederalist wrote, “After so recent a triumph over British despots [oppressive rulers], . . . it is truly astonishing that a set of men among ourselves should have had the effrontery [nerve] to attempt the destruction of our liberties.”

The Federalist Papers

The Federalists did not sit still while the Antifederalists attacked the Constitution. They wrote essays to answer the Antifederalists’ attacks. The best known of the Federalist essays are *The Federalist papers*. These essays first appeared as letters in New York newspapers. They were later published together in a book called *The Federalist*.

Three well-known politicians wrote *The Federalist* papers—James Madison, Alexander Hamilton, and John Jay, the secretary of foreign affairs for the Confederation Congress. Like the Antifederalists, the Federalists appealed to reason and emotion. In *The Federalist* papers, Hamilton described why people should support ratification.

Reading History

A. Making

Inferences What does Hamilton think will happen if the Constitution is not ratified?

A VOICE FROM THE PAST

Yes, my countrymen, . . . I am clearly of opinion it is in your interest to adopt it [the Constitution]. I am convinced that this is the safest course for your liberty, your dignity, and your happiness.

Alexander Hamilton, *The Federalist* “Number 1”

Federalists and Antifederalists

FEDERALISTS

- Supported removing some powers from the states and giving more powers to the national government
- Favored dividing powers among different branches of government
- Proposed a single person to lead the executive branch

ANTIFEDERALISTS

- Wanted important political powers to remain with the states
- Wanted the legislative branch to have more power than the executive
- Feared that a strong executive might become a king or tyrant
- Believed a bill of rights needed to be added to the Constitution to protect people’s rights



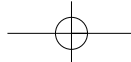
John Jay



George Mason

SKILLBUILDER Interpreting Charts

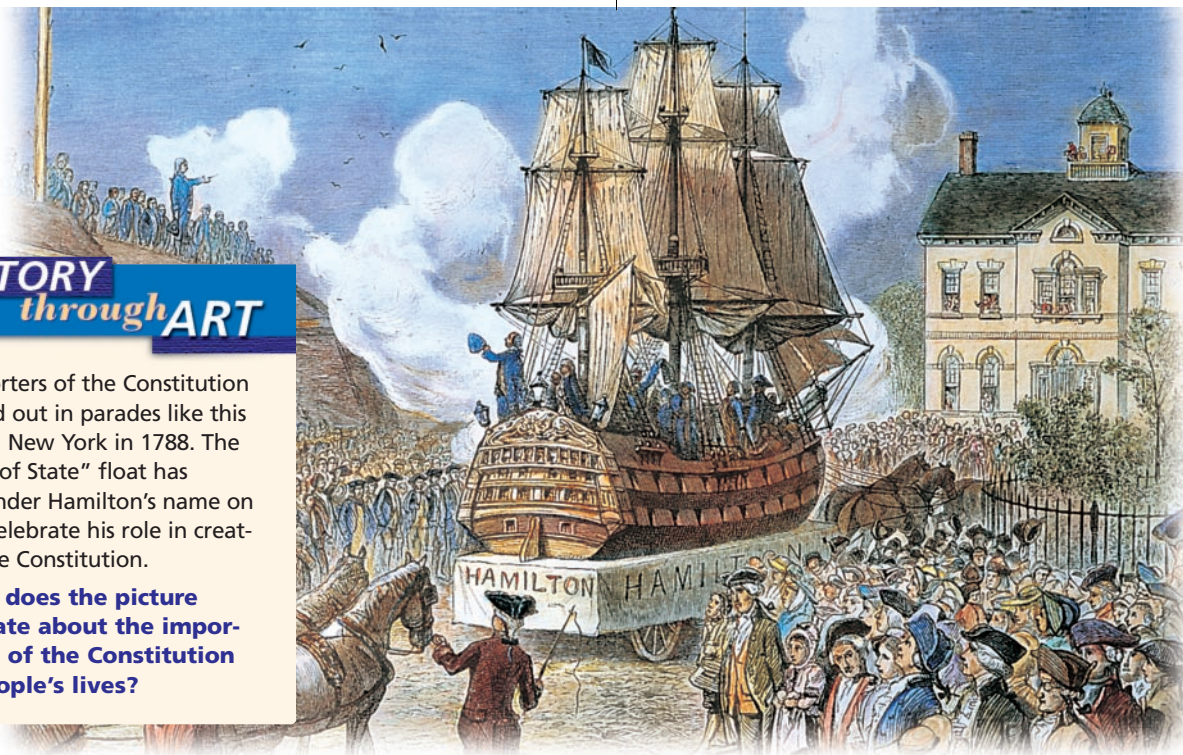
1. Which group wanted a stronger central government?
2. If you had been alive in 1787, would you have been a Federalist or an Antifederalist?



HISTORY through ART

Supporters of the Constitution turned out in parades like this one in New York in 1788. The “Ship of State” float has Alexander Hamilton’s name on it to celebrate his role in creating the Constitution.

What does the picture indicate about the importance of the Constitution in people’s lives?



The Federalists had an important advantage over the Antifederalists. Most of the newspapers supported the Constitution, giving the Federalists more publicity than the Antifederalists. Even so, there was strong opposition to ratification in Massachusetts, North Carolina, Rhode Island, New York, and Virginia. If some of these states failed to ratify the Constitution, the United States might not survive.

The Battle for Ratification

The first four state conventions to ratify the Constitution were held in December 1787. It was a good month for the Federalists. Delaware, New Jersey, and Pennsylvania voted for ratification. In January 1788, Georgia and Connecticut ratified the Constitution. Massachusetts joined these states in early February.

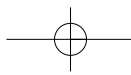
By late June, nine states had voted to ratify the Constitution. That meant that the document was now officially ratified. But New York and Virginia had not yet cast their votes. There were many powerful Antifederalists in both of those states. Without Virginia, the new government would lack the support of the largest state. Without New York, the nation would be separated into two parts geographically.

Virginia’s convention opened the first week in June. The patriot Patrick Henry fought against ratification. **George Mason**, perhaps the most influential Virginian aside from Washington, also was opposed to it. Mason had been a delegate to the Constitutional Convention in Philadelphia, but he had refused to sign the final document. Both Henry and Mason would not consider voting for the Constitution until a bill of rights was added. A bill of rights is a set of rules that defines people’s rights.

James Madison was also at Virginia’s convention. He suggested that Virginia follow Massachusetts’s lead and ratify the Constitution, and he recommended the addition of a bill of rights. With the addition of a bill of rights likely, Virginia ratified the Constitution at the end of June.

Reading History

B. Drawing Conclusions How did the lack of a bill of rights endanger the Constitution?



The news of Virginia’s vote arrived while the New York convention was in debate. The Antifederalists had outnumbered the Federalists when the convention had begun. But with the news of Virginia’s ratification, New Yorkers decided to join the Union. New York also called for a bill of rights.

It was another year before North Carolina ratified the Constitution. In 1790, Rhode Island became the last state to ratify it. By then, the new Congress had already written a bill of rights and submitted it to the states for approval.

The Bill of Rights

Background

The seven states that asked for a bill of rights were Massachusetts, South Carolina, New Hampshire, Virginia, New York, North Carolina, and Rhode Island.

At the same time that seven of the states ratified the Constitution, they asked that it be amended to include a bill of rights. Supporters of a bill of rights hoped that it would set forth the rights of all Americans. They believed it was needed to protect people against the power of the national government.

Madison, who was elected to the new Congress in the winter of 1789, took up the cause. He proposed a set of changes to the Constitution. Congress edited Madison’s list and proposed placing the amendments at the end of the Constitution in a separate section.

The amendments went to the states for ratification. As with the Constitution, three-quarters of the states had to ratify the amendments for them to take effect. With Virginia’s vote in 1791, ten of the amendments were ratified and became law. These ten amendments to the U.S. Constitution became known as the **Bill of Rights**. (See the Constitution Handbook, pages 250–252.)

The passage of the Bill of Rights was one of the first acts of the new government. In the next chapter, you will read about other issues that faced the new government.

America’s HERITAGE

RELIGIOUS FREEDOM

Freedom of religion was an important part of the First Amendment. Jefferson and Madison believed that government enforcement of religious laws was the source of much social conflict. They supported freedom of religion as a way to prevent such conflict.

Even before Madison wrote the Bill of Rights, he worked to ensure religious liberty in Virginia. In 1786, he helped pass the Virginia Statute for Religious Freedom, originally written by Jefferson in 1777.

Section 3 Assessment

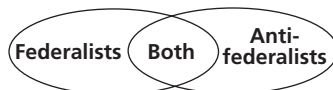
1. Terms & Names

Explain the significance of:

- federalism
- Federalists
- Antifederalists
- *The Federalist* papers
- George Mason
- Bill of Rights

2. Taking Notes

Use a diagram like the one below to compare and contrast the Federalists and the Antifederalists.



Which group do you think made the stronger argument about ratification? Why?

3. Main Ideas

- What were Patrick Henry’s and George Mason’s views on ratification?
- How did the Federalists and the Antifederalists try to convince people to take their sides in the debate over the Constitution?
- What was the significance of the Bill of Rights?

4. Critical Thinking

Recognizing Propaganda
Reread the quotation by Hamilton on page 219. Is it an example of propaganda? Why or why not?

THINK ABOUT

- Hamilton’s use of the word *countrymen*
- Hamilton’s reference to liberty, dignity, and happiness

ACTIVITY OPTIONS


SPEECH

LANGUAGE ARTS

Review the major arguments for and against ratification of the Constitution. Hold a **press conference** or write a **news report** on the ratification debate.



The Federalist “Number 51”

Setting the Stage James Madison wrote 29 essays in *The Federalist* papers to argue in favor of ratifying the Constitution. In *The Federalist* “Number 51,” Madison explains how the government set up by the Constitution will protect the rights of the people by weakening the power of any interest, or group, to dominate the government. **See Primary Source Explorer** 

A CLOSER LOOK

MINORITY RIGHTS

In the 1700s, people feared that democratic majorities could turn into mobs that would violate other people’s rights. Madison had to explain how the Constitution would prevent this.

1. What two methods does Madison suggest a society can use to protect minority rights?

A CLOSER LOOK

REPUBLICS IN LARGE SOCIETIES

For centuries, people believed that only small societies could be republics. But Madison argues that large societies are more likely to remain republics.

2. Why does Madison believe that a large republic is likely to protect justice?

It is of great importance in a republic not only to guard the society against the oppression of its rulers, but to guard one part of the society against the injustice of the other part. Different interests necessarily exist in different classes of citizens. If a majority be united by a common interest, the rights of the minority will be insecure. There are but two methods of providing against this evil: the one by creating a will in the community independent of the majority—that is, of the society itself; the other, by **comprehending**¹ in the society so many separate descriptions of citizens as will render an unjust combination of a majority of the whole very improbable, if not **impracticable**.² . . .

Whilst³ all authority in it will be derived from and dependent on the society, the society itself will be broken into so many parts, interests and classes of citizens, that the rights of individuals, or of the minority, will be in little danger from interested combinations of the majority. In a free government the security for civil rights must be the same as that for religious rights. It consists in the one case in the multiplicity of interests, and in the other in the **multiplicity of sects**.⁴ . . .

In the extended republic of the United States, and among the great variety of interests, parties, and sects which it embraces, a **coalition**⁵ of a majority of the whole society could seldom take place on any other principles than those of justice and the general good. . . .

It is no less certain than it is important . . . that the larger the society, provided it lie within a practicable sphere, the more duly capable it will be of self-government. And happily for the republican cause, the practicable sphere may be carried to a very great extent by a **judicious modification**⁶ and mixture of the *federal principle*.

—James Madison

1. **comprehending:** understanding.

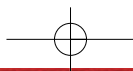
2. **impracticable:** not practical or realistic.

3. **whilst:** while.


4. **multiplicity of sects:** large number of groups.

5. **coalition:** alliance of groups.

6. **judicious modification:** careful change.



Objections to the Constitution

Setting the Stage George Mason was one of the leading Antifederalists. In “Objections to the Constitution of Government Formed by the Convention,” he listed his reasons for opposing ratification. Above all, he feared that the Constitution created a government that would destroy democracy in the young nation. **See Primary Source Explorer** 

There is no Declaration of Rights; and the Laws of the general Government being **paramount**¹ to the Laws and Constitutions of the several States, the Declaration of Rights in the separate States are no Security. Nor are the people secured even in the Enjoyment of the Benefits of the common-Law. . . .

In the House of Representatives, there is not the Substance, but the Shadow only of Representation; which can never produce proper Information in the Legislature, or inspire Confidence in the People; the Laws will therefore be generally made by Men little concern'd in, and **unacquainted**² with their Effects and Consequences.

The Senate have the Power of altering all Money-Bills, and of originating Appropriations of Money and the **Sallerys**³ of the Officers of their own Appointment in **Conjunction**⁴ with the President of the United States; altho' they are not the Representatives of the People, or **amenable**⁵ to them. . . .

The President of the United States has the unrestrained Power of granting Pardon for Treason; which may be sometimes exercised to screen from Punishment those whom he had secretly **instigated**⁶ to commit the Crime, and thereby prevent a Discovery of his own Guilt.

This Government will **commence**⁷ in a moderate **Aristocracy**⁸; it is at present impossible to foresee whether it will, in [its] Operation, produce a **Monarchy**⁹, or a corrupt oppressive Aristocracy; it will most probably vibrate some Years between the two, and then terminate in the one or the other.

—George Mason

1. **paramount**: most important.

2. **unacquainted**: unfamiliar.

3. **sallerys**: salaries.

4. **conjunction**: joining.

5. **amenable**: agreeable.

6. **instigated**: caused.

7. **commence**: begin.

8. **aristocracy**: rule by a few, usually nobles.

9. **monarchy**: rule by one, usually a king.

A CLOSER LOOK

DECLARATION OF RIGHTS

At the time of the ratification debate, Americans across the nation complained that the Constitution did not include a bill of rights.

3. What arguments does Mason make about the lack of a Declaration of Rights?

A CLOSER LOOK

ABUSE OF POWER

Mason believed that presidents might abuse the power to grant pardons for treason in order to protect the guilty.

4. Can you think of any presidents who have granted pardons?

Interactive Primary Sources Assessment

1. Main Ideas

- Why does Madison believe that a society broken into many parts will not endanger minority rights?
- What does Mason argue might happen if the president had the power to pardon people?
- For each writer, what is one example of a fact and one example of an opinion?

2. Critical Thinking

Drawing Conclusions Who do you think makes the stronger argument? Explain your reasons.

THINK ABOUT

- what you know about the history of the United States
- the evidence used by each writer



**VISUAL
SUMMARY**

Chapter 8 ASSESSMENT

Confederation to Constitution



1777

Continental Congress passes the Articles of Confederation.



1777-1781

States debate ratification of the Articles of Confederation.



1781

Articles of Confederation go into effect.



1786

Annapolis Convention is held.



1786-1787

Shays's Rebellion occurs.



1787

Constitutional Convention is held in Philadelphia.



1788

U.S. Constitution is ratified.



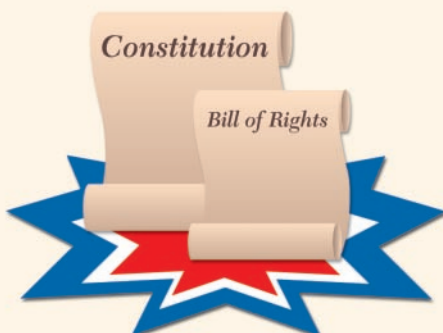
1789

Government created by the new Constitution takes power.



1791

Bill of Rights is added to the Constitution.



TERMS & NAMES

Briefly explain the significance of each of the following.

1. republic
2. Articles of Confederation
3. Northwest Ordinance
4. Shays's Rebellion
5. Constitutional Convention
6. James Madison
7. Great Compromise
8. Federalists
9. George Mason
10. Bill of Rights

REVIEW QUESTIONS

The Confederation Era (pages 205-211)

1. What is the Wilderness Road, and where did it lead?
2. What problems did the Continental Congress successfully address?
3. What powers did the government have under the Articles of Confederation?
4. How did Shays's Rebellion affect people's views on the Articles of Confederation?

Creating the Constitution (pages 212-217)

5. What groups of people were not represented at the Constitutional Convention?
6. What were some things the delegates agreed on at the convention?
7. What compromises did the delegates make during the convention?

Ratifying the Constitution (pages 218-223)

8. What is federalism?
9. Why were Virginia and New York important in the battle for ratification of the Constitution?
10. Why did some states think that it was necessary to add a bill of rights to the Constitution?

CRITICAL THINKING

1. USING YOUR NOTES

Problems	Solutions
Western lands	
Postwar depression	
Representation in the new government	
Slavery	

Using your completed chart, answer the questions below.

- a. What were the major problems facing the nation during the Confederation Era?
- b. How well did the nation solve these problems? Explain.

2. ANALYZING LEADERSHIP

Think about the leaders discussed in this chapter. Based on their actions, which leader do you think made the greatest contribution to the Constitutional Convention? Why?

3. THEME: DEMOCRATIC IDEALS

How do the Articles of Confederation and the Constitution each carry out democratic ideals?

4. APPLYING CITIZENSHIP SKILLS

Do you think the Founders were right to make the compromises they did in the Constitution on the issues of representation and slavery? What might have happened if they had not compromised?

5. RECOGNIZING EFFECTS

How might U.S. history be different if Virginia had refused to ratify the Constitution? If New York had refused? If both had refused?

Interact with History

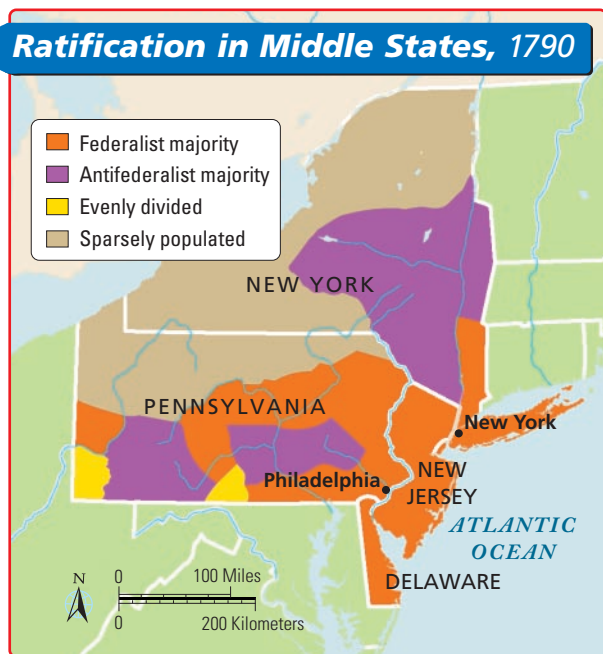
How did your ideas about how you would form a government change after reading this chapter?



HISTORY SKILLS

1. INTERPRETING MAPS: Region

Study the map and then answer the questions.



Source: *American Heritage Pictorial Atlas of United States History*

Basic Map Elements

- Which states are identified on the map?
- In which states did the Federalists have statewide majorities?

Interpreting the Map

- Why do you think the two cities on the map were strong Federalist supporters?

2. INTERPRETING PRIMARY SOURCES

The following law was put into effect in Virginia in 1786. Read the law and answer the questions.

Be it enacted by the General Assembly, That no man shall be compelled to frequent or support any religious worship, place, or ministry, whatsoever . . . but that all men shall be free to profess, and by argument maintain, their opinion in matters of religion, and that the same shall in no way diminish, enlarge, or affect their civil capacities.

The Statute of Virginia for Religious Freedom, 1786

- How would you summarize this law?
- Which right in the Bill of Rights was based on this law?
- Based on what you know about colonial history, how had American society changed between the early 1600s and the late 1700s?

ALTERNATIVE ASSESSMENT

1. INTERDISCIPLINARY ACTIVITY: Government

Making a Chart Do research to learn how the U.S. Constitution has been used as a model by other nations. Make a chart to summarize the information you find about one specific nation. Include the country, the date the country's constitution was ratified, and two ways in which that nation's constitution is similar to and different from the U.S. Constitution.

2. COOPERATIVE LEARNING ACTIVITY

Staging a Debate Stage a debate between a Federalist and an Antifederalist. Work in small groups to read some of the different arguments each side used. Look for discussions of one or more of the issues listed below. Pick one of the issues and stage a debate, using the strongest arguments from each side. Let the class determine who won the debate and why.

- the representation of people in Congress
- the strength of the president and Senate
- the need for a bill of rights

3. PRIMARY SOURCE EXPLORER

Creating a Museum Exhibit The creation of the U.S. Constitution was one of the most important events in the nation's history. There is a great amount of information about the Constitution. Using the Primary Source Explorer CD-ROM and your local library, collect information on different topics relating to the Constitution.

Create a museum exhibit about the Constitution using the suggestions below.

- Include information on the historical background of the Constitutional Convention, such as Shays's Rebellion and Enlightenment ideas about government.
- Find biographies about the delegates to the convention, including portraits.
- Collect important primary sources, such as Madison's notes and *The Federalist* papers.
- Include photographs or facsimiles of the documents.
- Draw a diagram that shows a layout for the exhibit.

4. HISTORY PORTFOLIO

Review your section and chapter assessment activities. Select one that you think shows your best work. Then use comments made by your teacher or classmates to improve your work and add it to your portfolio.

Additional Test Practice,
pp. S1-S33



TEST PRACTICE
CLASSZONE.COM