The Public Good

“To secure the public good and private rights against a danger of such faction, and at the same time to preserve the spirit and the form of popular government, is then the great object to which our inquiries are directed."

—excerpt from The Federalist No. 10, promoting the Constitution, 1787–1788

James Madison, author of several Federalist Papers

The Constitutional Convention

Objectives
• Describe the proceedings of the Constitutional Convention.
• Identify the specifics of the Virginia Plan.
• Explain how the Great Compromise satisfied both large and small states.
• Describe the disputes over slavery and the compromises that were reached.
• Discuss the drafting of the new Constitution.

Why It Matters
The weaknesses of the Articles of Confederation prompted the states to call a meeting to revise the Articles. The Constitutional Convention in Philadelphia led to an entirely new framework of government.

Section Focus Question: What role did compromise play in the creation of the United States Constitution?

The Constitutional Convention Begins

An air of mystery hung over Philadelphia in the summer of 1787. Every day, the nation’s great leaders passed in and out of the statehouse. One Philadelphia resident, Susannah Dillwyn, wrote to her father, “There is now sitting in this city a grand convention, who are to form some new system of government or mend the old one.”

Aims of the Convention
In fact, members of the convention did not have the authority to “form some new system of government.” Congress had called the meeting “for the sole and express purpose of revising the Articles of Confederation.” However, many delegates argued that revising the Articles would not be enough.

Early on, the delegates voted to keep their debates secret. Despite the heat, windows remained tightly shut. Guards kept out members of the public. The delegates would be free to speak their minds—even if their discussions took the convention far beyond its original aims.
The Delegates  In all, 55 delegates from 12 states took part in the convention. Only Rhode Island did not send any representatives.

Some delegates, such as George Washington and Ben Franklin, had been respected leaders of the Revolution. Washington was quickly voted president of the convention. Most delegates, however, were younger. Alexander Hamilton of New York was only 32. Another influential delegate was 36-year-old James Madison of Virginia. Madison took careful notes on the meetings. Published after his death, Madison’s notes became a rich source of historical information.

Checkpoint Why did delegates to the Constitutional Convention keep their debates secret?

The Virginia Plan

On the third day of the convention, Edmund Randolph of Virginia proposed a plan for a new, strong central government. James Madison was the principal author of this Virginia Plan. For the next month, debate focused on this proposal.

Three Branches of Government The Virginia Plan called for the central government to have three separate branches. Congress would continue to be the legislative branch. But two additional branches would be created. The executive branch would carry out the laws. The judicial branch would consist of a system of courts to interpret the law.

Many delegates believed that a strong executive was necessary to correct the weaknesses of the Articles of Confederation. But should the executive be one person or a group of people?

Birthplace of the United States

In 1787, delegates met in this room in Philadelphia’s statehouse to debate a new plan of government. Today, the building is known as Independence Hall, in honor of another important event that took place there, the signing of the Declaration of Independence. Critical Thinking: Draw Conclusions Why do you think many Americans today visit Independence Hall and other historic places?
Randolph proposed that Congress appoint three people to serve jointly as chief executive. One person alone, he said, would never be able to win the people’s confidence. Others objected. A single executive, they said, could act more quickly when urgent action was required. Eventually, the delegates voted to have one person, called the President, serve as executive.

**A Two-House Legislature** The Virginia Plan called for a change in the composition of Congress. Rather than a single legislative body, it would consist of two parts—a lower house and an upper house.

Delegates argued long and hard about methods of choosing members of the two houses. Some wanted state legislatures to elect both houses. Roger Sherman of Connecticut said the people “should have as little to do” with the selection process as possible because they can be misled.

On the other hand, James Wilson of Pennsylvania warned against shutting the people out of the process. According to Wilson, election of the legislature by the people was “not only the cornerstone, but the foundation of the fabric.”

**Checkpoint** How was the national government organized under the Virginia Plan?

**The Great Compromise**

One part of the Virginia Plan nearly tore the convention apart. The plan called for representation based on population. The more people a state had, the more seats it would have in each house. Naturally, this idea drew support from big states like Virginia, Pennsylvania, and Massachusetts.

**New Jersey Plan** The smaller states strongly opposed this idea. They wanted each state to have the same number of votes in Congress, as was the case under the Articles of Confederation.

On June 15, William Paterson of New Jersey introduced a modified plan on behalf of the small states. This New Jersey Plan stood in sharp contrast to the Virginia Plan. It called for a single house of Congress, with equal representation for each state. The plan also expanded the powers of Congress to raise money and regulate commerce.

In the summer heat, delegates argued day after day over the great issues at stake. Emotions ran so high that some feared the convention would fail and the Union would break apart.

**Terms of the Compromise** Finally, Roger Sherman of Connecticut worked out a compromise that he hoped would satisfy both the large and small states. A compromise is an agreement in which each side gives up part of what it wants. On July 16, 1787, delegates narrowly voted to accept Sherman’s proposals, which came to be known as the Great Compromise.
The key to Sherman’s plan was a two-house Congress. To please the large states, the lower house, called the House of Representatives, was to be based on population. Bigger states would thus have more votes. Representatives would be chosen by a vote of the people to serve two-year terms. To please the small states, each state would have two seats in the upper house, or Senate. State legislatures would choose senators, who would serve six-year terms.

The Great Compromise was a vital step in creating a new Constitution. Now, small-state delegates were willing to support a strong central government.

**Checkpoint** What was the main difference between the Virginia Plan and the New Jersey Plan?

### Debates Over Slavery

Other issues also divided the delegates—none more so than the question of slavery. The issue touched off bitter debates between northerners and southerners.

**Three-Fifths Compromise** Southern delegates said that enslaved people should be counted in calculating how many representatives a state should have in Congress. Northern delegates said that because enslaved people could not vote, they should not be counted toward a state’s representation.

Finally, Congress agreed to a plan called the Three-Fifths Compromise. Each enslaved person would be counted as three fifths of a free person. Thus, 500 enslaved people would count as 300 free people. The Three-Fifths Compromise was a gain for the South, which got more seats in the House. Northern delegates reluctantly agreed in order to keep the South in the Union.

The Three-Fifths Compromise was a blow to African Americans. It helped preserve slavery in the new Constitution by making a distinction between “free persons” and “all other persons.” The compromise was finally overturned when slavery was banned in 1865.

**Slave Trade** Some northern delegates wanted to ban the buying and selling of people anywhere in the country. Southern delegates protested that a ban would ruin the South’s economy.

Once again, a compromise was reached. Ships would be allowed to bring enslaved people into the country for a period of 20 years. After 1808, Congress could bar the importation of enslaved people. But the slave trade within the United States was not affected.

**Checkpoint** What was the Three-Fifths Compromise?
In his Signing of the Constitution, painter Howard Chandler Christy captured the moment on September 17, 1787, when delegates signed the historic document that has guided our government for more than 200 years.

1. Roger Sherman helped draft the Great Compromise that determined how states would be represented in Congress. After months of bitter debate, the compromise satisfied both large and small states.

2. George Washington was voted president of the meeting. His firm leadership held the convention together when it seemed close to breaking up.

3. Benjamin Franklin, though frail and ailing, was one of the convention’s most respected delegates. At the end, he wrote a masterful speech supporting the Constitution.

4. James Madison wrote much of the Constitution and led the fight to get it approved by the states. He is often called the Father of the Constitution.

Critical Thinking: Interpret Paintings
How does the artist draw attention to certain Framers?
A New Constitution

After many more weeks of debate, the delegates agreed on all the terms. A so-called Committee of Style was appointed to draw up the final wording of the new Constitution. Gouverneur Morris, a gifted writer, was largely responsible for writing the Preamble, or introduction.

The Preamble highlights a major difference between the Constitution and the Articles of Confederation. The Articles were a pact between separate states. By contrast, the Constitution opens with the words, “We the People of the United States, in order to form a more perfect union, . . . do ordain and establish this Constitution for the United States of America.” The Constitution thus claims to take its authority from the people rather than from the states.

The aging Ben Franklin gave some final advice on the day of the signing. Because he was so ill, Franklin remained seated and another delegate read Franklin’s speech. Like many other delegates, Franklin had some doubts about parts of the Constitution. Still, he said, “I agree to this Constitution with all its faults,” and he urged others to do the same. At last, the delegates stepped forward to place their signatures on the document.

What is the significance of the Constitution’s first phrase: “We the People of the United States”?

Looking Back and Ahead Once the Constitution had been signed, secrecy ended. Public debates began. These debates would stretch over 10 months. And, as the Constitution’s supporters soon learned, the battle for approval would be hard-fought and bitter.

Comprehension and Critical Thinking

1. (a) **Summarize** Summarize the arguments for and against having a single executive.
   (b) **Explain Problems** What problems do you think might arise during a crisis if the executive power in the U.S. government was held by three people?

2. (a) **Describe** How was representation in Congress to be based, according to the terms of the Great Compromise?
   (b) **Apply Information** Why did the small states decide to support a strong central government after the compromise?

Reading Skill

3. **Identify Support for Propositions** Reread the text following the heading “Slave Trade.” What reason did southerners give to support their position against ending the slave trade?

Key Terms

4. The Virginia Plan called for a _____, or system of courts to interpret the law.

5. Under a _____ between northern and southern states, Congress could bar slaves from being imported after 1808.

Writing

6. Choose one of the problems that the delegates at the Constitutional Convention had to solve. List several possible solutions for that problem, and then write a few sentences explaining the solution that the convention eventually chose. What were the advantages and disadvantages of this solution?