

## THE BIRTH OF THE CONSTITUTION

### *The Constitutional Convention*

The Constitutional Convention opened in Philadelphia in May, 1787, and finished its work in September. The delegates to the convention were not elected by the people, but instead were selected by their state legislatures.

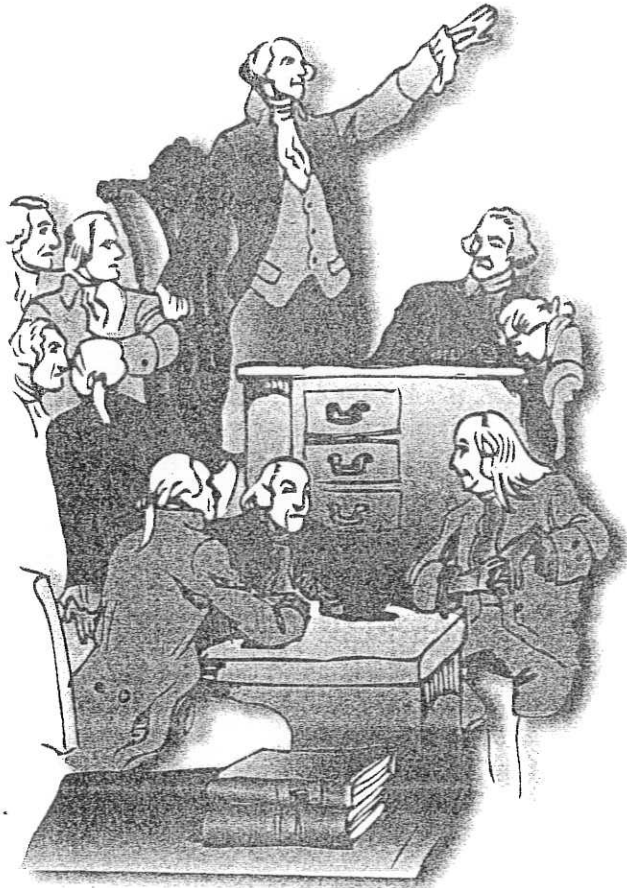
The delegates to the convention were men of great ability. Many had fought in the Revolutionary War, many were educated, and many were wealthy. They were men of great power and influence in their own states. Eventually, two would become presidents of the United States, one a vice president, and 26 would serve in Congress. All in all, there were 65 official delegates, but only 55 made it to Philadelphia. The average attendance at each day's meeting was about 30.

George Washington, a delegate from Virginia, was chosen to be the president of the convention. At first, the purpose of the convention was to revise the Articles of Confederation, but very quickly the delegates decided to replace the Articles with a new plan for government.

Two important leaders were absent from the convention. John Adams and Thomas Jefferson, who were influential in the writing of the Declaration of Independence, were in Europe serving as ambassadors to other nations. Benjamin Franklin of Pennsylvania was the oldest delegate at 81 years old, and Jonathan Dayton of New Jersey was the youngest at 26. Other delegates present were Alexander Hamilton and James Madison. There was one state that refused to send delegates to the Constitutional Convention; Rhode Island did not send any representatives to Philadelphia.

During those five hot summer months in 1787, the 55 delegates struggled to create a more flexible form of government for the new United States. The most serious task that faced the delegates was how to achieve a balance between liberty and authority. There were many different viewpoints and opinions on how to go about that task. The concept of compromise unified the differences into a supreme document capable of representing the opinions of all Americans.

The Constitution that resulted from this historic convention is now over 200 years old. Few written constitutions have lasted as long as the Constitution of the United States.



**George Washington was chosen as the president of the Constitutional Convention.**

Date \_\_\_\_\_ Name \_\_\_\_\_

## THE BIRTH OF THE CONSTITUTION

### *The Constitutional Convention*

### ≈ Challenges ≈

1. Define:

Convention: \_\_\_\_\_

Compromise: \_\_\_\_\_

Delegate: \_\_\_\_\_

2. Where did the Constitutional Convention meet in May, 1787? \_\_\_\_\_

3. During what months of 1787 was our Constitution written? \_\_\_\_\_

4. Which state didn't send delegates to the Convention? \_\_\_\_\_

5. Who served as president of the convention? \_\_\_\_\_

6. What was the most serious task that the convention faced? \_\_\_\_\_

7. Name two famous politicians who were present at the convention. \_\_\_\_\_

8. Name two famous politicians who were absent from the convention. \_\_\_\_\_

9. Who was the oldest delegate? \_\_\_\_\_

10. Who was the youngest delegate? \_\_\_\_\_

## THE BIRTH OF THE CONSTITUTION

### *Compromise*

Without compromise in 1787, our government would have collapsed in infancy. Compromise is a settlement in which both sides give up something in order to reach an agreement. There were many different compromises made during the Constitutional Convention. The most important compromises dealt with how our government would be set up.

A major concern of the delegates was how to set up the lawmaking body of our government, the legislative branch. How should states be represented in the legislative body? Who would have control—the small states or the large states? This issue threatened to destroy the convention. Eventually, the delegates came to an agreement known as the Great Compromise, which combined the best of the Virginia Plan and the New Jersey Plan.

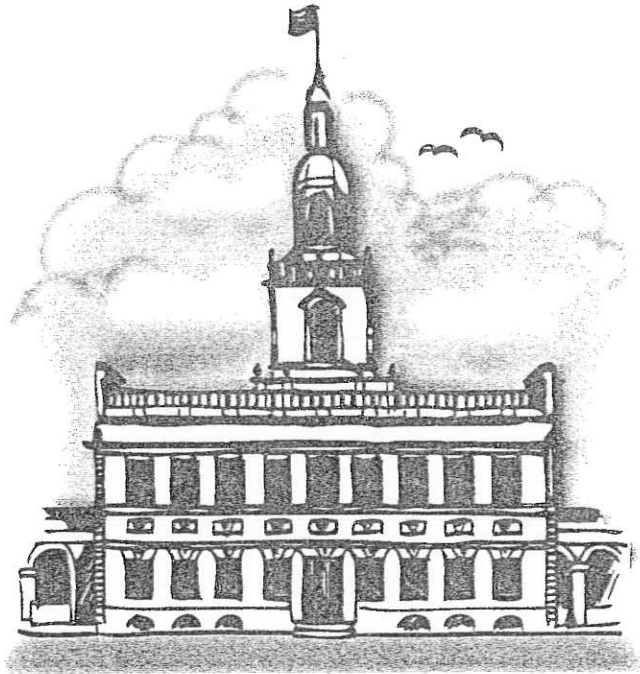
The Virginia Plan was proposed by the states having the larger populations. First, they suggested that the lawmaking body be called Congress. This Congress was to be *bicameral* (having two houses). The first house would be elected by the people, and the second house would be elected by the first house. The number of Congressmen was to be determined by the population of the state. The larger states liked this plan because they had a larger population and as a result would be able to control the government. They favored a plan based on population.

An alternative was the New Jersey Plan supported by the smaller states. First, the small states proposed a Congress that was *unicameral* (having one house) with each state having the same number of representatives or votes. The smaller states would then be equal with the larger states. They favored a plan based on equality.

Eventually a compromise was reached. The compromise became known as the Great Compromise, because without this basic issue settled, the Convention would have failed.

The Great Compromise called for a bicameral Congress. The first house was to be called the House of Representatives, with representatives elected by the people for a two-year term. The number of representatives each state could elect would depend on the population of the state. This pleased the large states.

The second house was to be called the Senate, with senators elected by their state legislatures for a six-year term. Each state would have two senators. This pleased the small states. The Great Compromise had succeeded; both sides got what they wanted.



The Convention was held in the Philadelphia Statehouse, now known as Independence Hall.



## THE BIRTH OF THE CONSTITUTION

### *Separation of Powers*

Another problem facing the Constitutional Convention was how to divide the powers of a government. Who will make the laws? Who will make sure the laws are obeyed? Who will make sure the laws are “good” laws? These questions were answered in the next set of compromises.

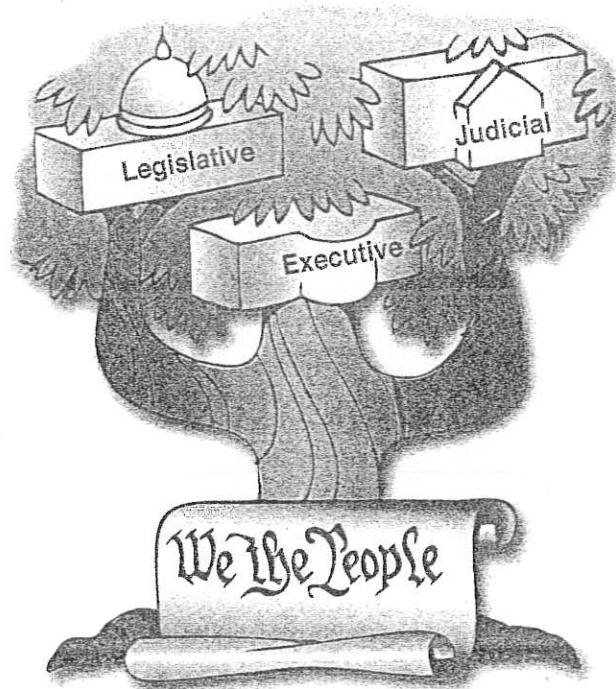
American government can be seen as a tree. The Constitution is the trunk, or base, with three branches extending from that trunk. Those three branches are the legislative branch, the executive branch, and the judicial branch. Each branch has different responsibilities and looks out for and checks the other two branches. These concepts, respectively, are called *separation of powers* and *checks and balances*.

The *legislative* branch was defined during the Great Compromise. Together, the House of Representatives and the Senate make the laws to govern our country. The legislative branch also checks the executive and judicial branches.

The second branch is the *executive* branch. Eventually, the delegates decided to create a chief executive. Under the Articles of Confederation, there was no national leader. The founding fathers had feared creating another “king.” There was much discussion, even talk of having two equally powered leaders. The convention agreed to create one President, but only if the President would be checked or watched by the legislative and judicial branches. The job of the President and the executive branch is to carry out the laws passed by the legislative branch.

The third branch established the *judicial* system. The judicial branch was to be headed by the Supreme Court. It is the job of the Supreme Court to interpret or define the laws. The Supreme Court is chosen by the President and approved by the Senate. The judicial branch checks the executive and legislative branches.

Each branch has its own specific responsibilities. Each has a separate power. Part of the responsibility of a branch is to control or check the power of the other branches. That way, no one branch gets to be too powerful; each branch is balanced.



The U.S. Constitution provides for the legislative, executive, and judicial branches of government.

Date \_\_\_\_\_ Name \_\_\_\_\_

## THE BIRTH OF THE CONSTITUTION

### *Separation of Powers*

### ≈ Challenges ≈

1. Define:

Separation of Powers: \_\_\_\_\_

Checks and Balances: \_\_\_\_\_

Legislative: \_\_\_\_\_

Executive: \_\_\_\_\_

Judicial: \_\_\_\_\_

2. Name three ways in which the powers of the United States are divided.

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

3. Why are the powers separated? \_\_\_\_\_

\_\_\_\_\_

4. What is the job of the legislative branch? \_\_\_\_\_

\_\_\_\_\_

5. What is the job of the executive branch? \_\_\_\_\_

\_\_\_\_\_

6. What is the job of the judicial branch? \_\_\_\_\_

\_\_\_\_\_

7. What two branches are checked by the legislative branch? \_\_\_\_\_

\_\_\_\_\_

8. What two branches are checked by the executive branch? \_\_\_\_\_

\_\_\_\_\_

9. What two branches are checked by the judicial branch? \_\_\_\_\_

\_\_\_\_\_