

Constitutional Convention: A Decision-Making Activity

(Designed for 8th Grade Social Studies Students)

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Abstract

This lesson was designed to help students gain a deeper understanding of the Constitutional Convention of 1787 and some of the issues faced by the delegates. This lesson should be taught within a unit on the United States Constitution. The simulation as outlined in this lesson is designed to meet the needs of 8th grade students and is meant to fit into two class periods.

Lesson Goals/Objectives

1. Students will be able to explain some of the issues faced by delegates at the Constitutional Convention.
2. Students will be able to describe how different states addressed these issues.
3. Students will be able to describe how the outcomes of the simulated Constitutional Convention compares to the outcomes of the actual event.
4. Students will analyze United States Census data from which to gain information.

Key/Essential Questions

1. What were some of the issues faced by the delegates at the Constitutional Convention?
2. How did states differ over these issues?
3. How did the outcomes of the simulation of the Constitutional Convention compare to the outcomes of the actual event that took place in Philadelphia in 1787?

Note to Teacher

This simulation is designed to strengthen student understanding of the issues faced by delegates at the Constitutional Convention. This lesson is not designed to introduce these topics, but rather to reinforce them once they have been taught. Therefore, in order for students to more fully comprehend this simulation lesson, they already should have a basic understanding of:

- A. the Constitutional Convention and the roles of the delegates
- B. the issues that the delegates at the Constitutional Convention had to contend with (such as representation in Congress and slavery)
- C. Virginia Plan/Large State Plan
- D. New Jersey Plan/Small State Plan
- E. Connecticut Compromise/Great Compromise
- F. Slavery Compromises

Massachusetts Curriculum Standard

USI.7 Explain the roles of various founders at the Constitutional Convention. Describe the major debates that occurred at the Convention and the "Great Compromise" that was reached. (H,C)

Major Debates

- A. the distribution of political power
- B. the rights of individuals
- C. the rights of states
- D. slavery

Founders

- A. Benjamin Franklin
- B. Alexander Hamilton
- C. James Madison
- D. George Washington

Background Narrative

By 1787, the United States was in crisis. The then-current form of government under the Articles of Confederation was mostly ineffective. Interstate commerce was a major problem as states placed tariffs on goods from other states. There was no national executive, no real judicial branch (Congress acted as the judicial branch). The legislative branch consisted of a unicameral or one house congress. Congress was limited in its powers so as not to interfere with the powers belonging to the individual states.

In the spring of 1787, Alexander Hamilton, a prominent New York attorney, organized a convention to take place in Philadelphia's Independence Hall. The purpose of the convention was to discuss and remedy the problems associated with the Articles of Confederation. Each state was invited to send delegates to participate in the event.

The Philadelphia Convention (later to be known as the Constitutional Convention) began on May 25, 1787. Twelve of the thirteen states sent delegates. The only state to boycott the proceedings was Rhode Island. In total, 55 delegates would play a role at various times in the convention.

The delegates who participated in the convention did not reflect the diversity then present in the nation. Many of the delegates were wealthy planters or lawyers. Many owned slaves. Since they were not considered viable participants in the political process, women, blacks, and Native Americans were not represented at the convention.

The leader of the convention was Revolutionary War hero, George Washington of Virginia. Washington assumed command of the debates, yet did not take part in the debates themselves. Benjamin Franklin, representing his adopted state of Pennsylvania, was the oldest delegate present at 81 years of age. James Madison, arguably the most prepared delegate, took

copious notes during the confidential debates that followed. His role at the convention would eventually earn him the title, "Father of the Constitution".

As the delegates discussed ways to repair the Articles of Confederation, it soon became apparent that they were designing a new system of government, one more suitable for the young United States. However, issues soon arose that created contentious debate amongst the delegates.

One of these issues dealt with the very nature of the new government. The states with larger populations favored James Madison's Virginia Plan. This plan consisted of a strong national government with three branches (Executive, Legislative, and Judicial) and a bicameral (two house) legislature (Congress) with a Senate and a House of Representatives whose memberships would be based upon a state's population. Madison's plan also gave the national government the power to tax, a power that rested solely within the states under the Articles of Confederation.

The less populated states, feeling threatened by Madison's plan, created another plan of government. The New Jersey Plan, written by William Patterson of New Jersey was also known as the Small State Plan. This plan mirrored one part of the Virginia Plan in that it called for a national government of three branches (Executive, Legislative, and Judicial). However, the Legislative Branch would be unicameral (one house) with each state having only one vote. The states would maintain the sole power of taxation. In essence, the New Jersey (or Small State Plan) was very similar to the government under the Articles of Confederation.

As the different plans split the convention into factions, the delegation from Connecticut, led by Roger Sherman, created a compromise plan known as the Connecticut Plan or the Great Compromise. This plan called for a government with three branches (Executive, Legislative, and Judicial). The Legislative Branch would be bicameral with a Senate (with equal representation

for all states with two senators per state) and a House of Representatives (whose membership would be based upon a state's population). The Great Compromise was able to settle the debate in the convention and helped create the federal system of government under the United States Constitution.

Slavery was a topic of debate that threatened the hopes of a new federal constitution and the very union itself. Many southern states wanted their slaves to be counted as part of their population. This would give slave-holding states an advantage in the House of Representatives and in the Electoral College. The debate was settled with the Three-Fifths Compromise which allowed slaves to be counted as $\frac{3}{5}$ of a free white person when the population of a given state was counted for representation purposes.

The Three-Fifths Compromise settled the representation debate, but there were two other areas concerning slavery that were yet unsettled. Slave-holding states were worried that Congress may (in the future) have enough votes to legalize the international slave trade. The delegates at the convention created the Slave Trade Clause which forbade Congress from voting against the international slave trade until 1808.

The final slave debate focused on runaway slaves. Slave states wanted a guarantee that if caught, runaway slaves would be returned to their owner. The convention agreed to include the Fugitive Slave Clause in the Constitution which forced all states to return fugitive slaves to their owner.

Given the debates on the nature of our government and slavery, it is clear that compromise was the key to success at the Constitutional Convention. Once the document was signed on September 17, 1787, it was presented to the states for ratification. Delaware was the

first state to ratify the document. Once it was ratified by the required ninth state (New Hampshire), the Constitution took effect on March 4, 1789. The document created by 55 delegates during the warm summer of 1787 was destined to see our nation through times of peace and times of war. As a testament to the genius of those men, the government they created has lasted over 220 years.

Teacher's Information Sheet

This section is meant to provide the teacher with information that may be useful during this lesson.

Large States/States that Favored the Virginia or Large State Plan

()=the number of delegates at the Constitutional Convention

Maryland (5 delegates)
Massachusetts (4 delegates)
New York (3 delegates)
North Carolina (5 delegates)*
Pennsylvania (8 delegates)
Virginia (7 delegates)

Small States/States that Favored the New Jersey or Small State Plan

()=the number of delegates at the Constitutional Convention

Connecticut (3 delegates)
Delaware (5 delegates)
Georgia (4 delegates)*
New Hampshire (2 delegates)
New Jersey (5 delegates)
South Carolina (4 delegates)

*Note: (1) Rhode Island boycotted the Constitutional Convention.

(2) In general, states that preferred the Virginia or Large State Plan were those that had a population of 250,000 or more. North Carolina and Georgia were more supportive of the Small State Plan, but hoped if counted, their slave population would make them in line with the Large State Plan.

Constitutional Convention: A Decision-Making Activity

Objectives:

1. Students will be able to explain some of the issues faced by delegates at the Constitutional Convention.
2. Students will be able to describe how different states addressed these issues.
3. Students will be able to describe how the outcomes of the simulated Constitutional Convention compares to the outcomes of the actual event.
4. Students will analyze United States Census data from which to gain information.

Materials Needed:

1. 12 sheets of 8 1/2" X 11" white paper for Tent signs (see directions and drawing below)
2. George Washington mask or white colonial wig (not necessary)
3. "A Letter from James Madison" Activity Sheet
4. "1790 United States Census Data" Sheet
5. "The Constitutional Convention Simulation: Tally Sheet"
6. "The Constitutional Convention Simulation: Reflection" Sheet

Time Allotment: Two class periods

Procedure:

1. Prior to the beginning of class, arrange the classroom to look similar to the layout of the room used for the Constitutional Convention at Independence Hall. The student desks should be placed in groups of two (one beside the other). There should be three rows of four groups (of two desks). All of the desks should face a large table or your desk that should be located in the front.
2. On each of the 12 groups of desks, place a tent sign with the name of one of the twelve states that attended the Constitutional Convention. (Note: Rhode Island did not attend the Convention.) The tent signs are made by folding an 8 1/2" X 11" sheet of paper horizontally. Write the name of the state below the fold.

3. When students enter the classroom, allow them to choose whatever state they would like to represent and have each student sit at one of the two desks for their chosen state.
4. Select one student to portray George Washington. He or she can sit at the desk in front of the room. The student can wear a George Washington mask or white colonial wig if one is available.
5. If you have more than 24 students, add additional seats for any state as needed.
6. Pass out a copy of the "1790 United States Census Data" Sheet to each student. Explain that detailed population information is not available for 1787. Therefore, the 1790 United States Census results will be used.
7. Review the "1790 United States Census Data" Sheet to be sure each student understands the information presented on the sheet.
8. Pass out a copy of the "A Letter from James Madison" Activity Sheet to each student. Have a student read Madison's fictitious letter orally while the other students follow along. Review the questions on the sheet to ensure student understanding. Please note that you may want to give one of these sheets to "George Washington" to fill out for Virginia even though he did not take part in the debates in reality. In this way, the student portraying Washington can have a part in the activity.
9. Give the students approximately 10 minutes to complete the sheet. They should work in pairs with the other student(s) who is also representing their state.
10. Once the class is finished, pass out "The Constitutional Convention Simulation: Tally Sheet" (with "The Constitutional Convention Simulation: Reflection" sheet printed on the reverse side) so that each student has a copy.
11. In order to review the answers to the questions on the "A Letter from James Madison" sheet with the class, ask the student portraying George Washington to call on each state to share their answers to the individual questions. All twelve "states" should share their answer to the same question before answering the next question.
12. As "states" share the answers to the questions, the other students should be filling in the information on their "The Constitutional Convention Simulation: Tally Sheet".
13. Once all of the states have presented the answers to their questions, explain that in order to assess the students' understanding of the simulation, their assignment will be to complete "The Constitutional Convention Simulation: Reflection" sheet. You can determine when this assignment is to be handed in. It should be reviewed orally as a class and compared to the actual Constitutional Convention so as to draw comparisons that will strengthen student comprehension of the historic event.

Name _____ Class _____ Date _____

A Letter from James Madison

Dear Fellow Delegates,

Welcome to Independence Hall in the city of Philadelphia! As you know, you have been selected as a delegate to represent your home state during these proceedings. Our purpose is to discuss the defects found in our current government under the Articles of Confederation. Your input is not only desired, but necessary so that we can guarantee "life, liberty, and the pursuit of happiness" to all Americans. I ask you to remember that whatever is said in these meetings is to be held in the strictest of confidence.

Again, welcome to Philadelphia and thank you for helping to secure the best possible government for our country.

*Sincerely,
James Madison*

What state do you represent? _____

Directions: Use the 1790 US Census Information Sheet to answer the following.

1790 Total Population: _____

1790 Slave Population: _____

Directions: Working with the delegate(s) from your state, answer the following questions.

1. Is your state considered a large or small state? Explain how you came to this determination. (Hint: States with populations over 250,000 were considered large states.)

2. As a delegate from your state, do you prefer the Virginia Plan or the New Jersey Plan?

3. Why do you prefer this plan?

4. How should the US Constitution address the issue of slavery? Should slaves be counted for representation?

5. How does your state feel about the issue of representation in Congress? Why?

Name _____ Class _____ Date _____

1790 United States Census Data

<u>State</u>	<u>Total Population</u>	<u>Slave Population</u>
Connecticut	237,946	2,764
Delaware	59,096	8,887
Georgia	82,548	29,264
Maryland	319,728	103,036
Massachusetts	378,787	0
New Hampshire	141,885	158
New Jersey	184,139	11,423
New York	340,120	21,324
North Carolina	393,751	100,572
Pennsylvania	434,373	3,737
Rhode Island	68,825	948
South Carolina	249,073	107,094
Virginia	691,737	292,627

Source:

Center for Civic Education, *We the People*. CA: Center for Civic Education, 1990.

Name _____ Class _____ Date _____

The Constitutional Convention Simulation: Tally Sheet

Directions: Fill in the information as students present their responses.

	Prefers the Virginia Plan	Prefers the New Jersey Plan	Feelings About Slavery	Feelings About Representation
New Hampshire				
New York				
Massachusetts				
Maryland				
North Carolina				
South Carolina				
Pennsylvania				
New Jersey				
Delaware				
Virginia				
Georgia				
Connecticut				

Annotated Bibliography

Amar, Akhil Reed. *America's Constitution: A Biography*. USA: Random House, 2006. Excellent and detailed story of the Constitution.

Berkin, Carol. *A Brilliant Solution: Invention the American Constitution*. USA: Harcourt, Inc., 2002. A very readable book about the Constitutional Convention including the debates as well as the personalities of the various delegates.

Bernstein, R.B., *The Founding Fathers Reconsidered*. USA: Oxford University Press, 2009. This books presents the Founding Fathers as human beings rather than as the "demi-gods" Jefferson described them to have been.

Bowen, Catherine Dinker. *Miracle at Philadelphia: The Story of the Constitutional Convention May to September 1787*. USA: Little, Brown, and Company, 1966. This is a standard work detailing the delegates and debates at the Constitutional Convention.

Center for Civic Education, *We the People*. CA: Center for Civic Education, 1990. This civics textbook is an excellent resource for classroom use.

Davis, Kenneth. *Don't Know Much About History*. New York: Crown Publishers, Inc., 1990. The information in this book is presented as questions related to American history followed by detailed answers to each question. Although not the most scholarly of books, this work is very readable and could be used in the middle school classroom with students.

Goldstone, Lawrence. *Dark Bargain: Slavery, Profits, and the Struggle for the Constitution*. New York: Walker and Company, 2005. This is an excellent book detailing the role that slavery and the debates over slavery played at the Constitutional Convention.

Isaacson, Walter. *Benjamin Franklin: An American Life*. New York: Simon and Schuster, 2003. This is an excellent full length biography of Franklin.

Kammen, Michael. *The Origins of the American Constitution: A Documentary History*. USA: Penguin Books, 1986. This book is a collection of primary source documents related to the United States Constitution. The book includes valuable private correspondence between several of the Founding Fathers.

Wood, Gordon S. *The Americanization of Benjamin Franklin*. USA: Penguin Books, 2004. Wood does an excellent job portraying the human side of Franklin as opposed to the mythology most Americans are accustomed to.

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