

Author:
 Matthew Dixon
 McAuliffe Elementary
 Alvord USD

Constitutional Convention Play

Characters:

Narrators - minimum of two, but may assign multiple actors to these roles. These roles are frequent and important.

Prologue characters - 3 (merchant, farmer, congressman)

Main characters - 17 (roles divided into the acts in which they appear so it can be determined which different roles can be played by the same actor if needed).

Act I	Act II	Act III
Mr. Dickenson	Mr. Ellsworth	Mr. Ellsworth
Mr. Madison	Mr. Gerry	George Mason
George Mason	Mr. Ghorum	General Pinkney
Mr. Pierce	Mr. Hamilton	Mr. Pinkney
Mr. Pickney	Dr. Johnson	Mr. Randolph
Mr. Randolph	Mr. Madison	Mr. Rutledge
Mr. Read	Mr. Martin	Mr. Sherman
Mr. Sherman	Mr. Pierce	
	Mr. Read	
	Mr. Sherman	
	Mr. Williamson	

Epilogue - 8 characters (might use above or new actors)

As the play is male oriented, females should be used as narrators and can be used in epilogue.

Staging:

I have the narrators standing on opposite sides of the stage. This will allow changes in narrators easier to do. The rest of the action takes place in the middle of the stage. Props can be minimal; a few desks and chairs, perhaps an American flag of the era. If colonial costumes are too much, suits/jackets and ties would work as well.

Suggestions for the Teacher:

Prior to the performance, have the students prepare a biography on the character they will be portraying.

Introduce the major ideas and the background of the Constitutional Convention by creating a power point presentation.

Find images that could be used in conjunction with the play that will provide a type of “stage.” Ideally, I would have a screen in the back of the “stage” and display images, biographical information, definitions, and other graphic aids that would illustrate points being presented on stage at the time.

References:

The Constitutional Convention

<http://www.teachingamericanhistory.org/convention/>

Lesson Plans on the American Founding by Natalie Bolton and Gordon Lloyd

<http://teachingamericanhistory.org/lessonplans/>

Biographies - The Constitutional Convention of 1787

<http://www.law.umkc.edu/faculty/projects/ftrials/conlaw/convention1787.html>

America’s Founding Fathers: Delegates to the Constitutional Convention

http://www.archives.gov/exhibits/charters/constitution_founding_fathers.html

Prologue

Narrator 1: As many of you are aware, America fought a War of Independence against England from 1775-1783.

Narrator 2: As they fought for their independence, each state was directed by the Second Continental Congress, on May 15, 1776, to "adopt such a government as shall, in the opinion of the representatives of the people, best conduce to the safety and happiness of their constituents in particular and America in general."

N1: The Congress also adopted a system of governance for all thirteen states: The Articles of Confederation. This did not go into effect until after the war when various territorial disputes between the states were settled.

N2: It didn't take long to determine that these Articles of Confederation were not strong enough to hold the country together. In fact, America was more disunited than united, with each of the state governments essentially more important than that of the whole country.

Character 1: It is only three years after the war and our country is virtually bankrupt. We cannot pay our soldiers who won our independence. We cannot pay back the loans other countries gave us to fight the war. We cannot raise money from taxes as that is difficult under the Articles of Confederation. What if we need to fight another war? We have no navy and no army to speak of.

Character 2: I am an American merchant and I cannot sell goods in any other state without paying outrageous tariffs except in my own state. Britain floods our country with their goods while gold and silver flows out. Foreign countries make it difficult for us to trade with their colonies. How are we to become a strong country if we cannot develop a strong economy?

Character 3: We are Americans, yet our own state governments do nothing to help the poor farmers in these bad economic times. They are full of investors and creditors who pass laws that make it easier for them to take our land and harder for us to keep it. We fought against tyranny from overseas and we will fight against it again, if necessary, even if that is against our own government!

N1: In September 1786, Virginia asked that a conference be established in Annapolis, Maryland, to discuss problems with the Articles of Confederation and develop solutions. But only five of the thirteen states sent delegates. Those that did attend, however, met and recommended that another conference be established and meet in Philadelphia the next summer. Congress approved this plan on February 21, 1787.

N2: The exact directions of Congress were for the delegates to meet "for the sole purpose of revising the Articles of Confederation and reporting to Congress and several legislatures such alterations and provisions therein as shall, when agreed to in Congress and confirmed by the States, render the federal constitution adequate to the exigencies of government and the preservation of the Union."

N1: In all, twelve states sent 55 delegates to the convention with only Rhode Island sending no delegates. Both the Declaration of Independence and the Constitution were written in Independence Hall in Philadelphia and thirty of the signers of the Declaration played an important part in the creation and adoption of the Constitution.

Act I - Progress

N2: On May 25, 1787, the delegates met and elected George Washington president of the convention and established the rules. However, the main business began four days later with the introduction of what would later be called the Virginia Plan by its Governor, Edmund Randolph.

N1: Two important notes before we hear from Governor Randolph. First, it had been decided that the discussions of the delegates would be done in secret. That is, they would tell no one outside of the hall what they were discussing. The delegates felt that ideas would be more openly discussed if they did not have to worry about what other people thought about these ideas until they were fully debated.

N2: Remember, there were no CNN or Fox news analysts, or internet and large news services that could instantly communicate with the entire country. News traveled slowly and if each item the delegates were discussing was being debated by the whole country, the process would have taken forever. There would be plenty of discussion and debate after the final product was presented to each state and the American people.

N1: This decision would be hard on the delegates as well. This was before air conditioning had been invented and Philadelphia in the summer time is usually hot and humid, so with the windows closed and drapes pulled ...

N2: and many of the delegates were overweight or elderly, and typically wore long sleeved shirts, waistcoats, and overcoats ...

N1: the room was uncomfortable to say the least.

N2: The second important point is because these meetings were held in secret, and most of what we know of what happened comes from notes taken by James Madison. Some people have questioned as to how accurate these notes are.

N1: If you ever read them you will see his speeches are highly detailed and those of people he did not like are very brief, but they are the most extensive notes available for us to use. Now here is Governor Randolph.

Governor Randolph: Gentlemen, I regret that it should fall to me, rather than those who are of longer standing in life and political experience, to open the great subject of our mission. But, as the convention originated from Virginia, and my colleagues suppose that some proposition is expected from us, they have imposed this task on me.

N2: Mr. Randolph then talked about what the new government should be able to do and his respect for the authors of the Articles of Confederation, saying that they had basically done the best they could at the time, but the problems that had arisen since needed to be addressed.

N1: After listing many of the defects, Mr. Randolph then outlined 15 resolutions that the representatives of Virginia thought were needed to fix the Articles of Confederation, several of which were major changes!

N2: At the end of the day, Charles Pinkney proposed his idea of government, but the following week was spent discussing and voting on sections of the Virginia Plan. For instance, the delegates decided that our government should consist of three sections: a legislature, a judiciary, and an executive branch. They also decided that the legislature should be divided into two sections and that the House of Representatives would be elected by the people.

N1: They also agreed that the executive would be one person, that he would have the power to veto laws and that the legislature could overturn his veto, that either house could initiate laws, and that new states added to the Union would be equal to the original thirteen states.

N2: All of these decisions are still part of our government today, so it was a very good start to the convention. However, a major problem that threatened to destroy all that had been achieved soon arose. You see, in the Articles of Confederation, each state had equal representation in the Continental Congress. Under the Virginia Plan, representation would be based on how many people lived in that state.

N1: Virginia, being one of the most populous states at the time, of course thought this would be fairer. The other part of this was how the representatives of the Senate would be selected: by the people as in the House of Representatives, or by the State governments. Listen as various delegates comment on these ideas.

Mr. Pinkney: I move that the first branch of the national legislature be elected by the state legislatures, and not by the people, as the people are less fit judges in such a case. The legislatures will be less likely to promote the adoption of the new government, if they are to be excluded from all share in it.

Mr. Sherman: If it is in view to abolish the state governments the elections ought to be by the people. If the State governments are to be continued, it is necessary in order to preserve harmony between the national and state governments that the elections should be made by the states. The objects of the Union I think are few. All other matters civil and criminal will be much better in the hands of the states.

Mr. Mason: Under the existing confederacy, Congress represents the States, not the people of the States: their acts operate on the States, not on the individuals. The case will be changed in the new plan of government. The people will be represented; they ought, therefore, to choose the representatives.

Mr. Madison: The election of one branch of the legislature by the people is a clear principle of free government and this mode, under proper regulations, has the additional advantage of securing better representatives. It is incumbent on us then to try this remedy, and with that view to frame a republican system on such a scale and in such a form as will control all the evils that have been experienced.

Mr. Dickenson: I too consider it essential that one branch of the Legislature should be drawn immediately from the people; AND that the other should be chosen by the Legislatures of the States. This combination of the State Governments with the National Government is as politic as it is unavoidable.

Mr. Read: I am against patching up the old federal system. I hope the idea will be dismissed. It will be like putting new cloth on an old garment. The Confederation was founded on temporary principles. It cannot last; it cannot be amended. If we do not establish a good government on new principles, we must either go to ruin, or have the work to do over again.

N1: After this debate, it was agreed on June 7th that the Senate would be elected by the states. This would change later though. The issue of state representation by population or equality had not been decided though. On June 11th, Roger Sherman proposed a compromise that would allow the House of Representatives to be selected by population and the Senate to be equal representation. This idea was rejected, but would be reintroduced and known as the Connecticut Compromise.

N2: The rejection of Sherman's idea led the small states to propose their own plan for governance called the New Jersey Plan. It was presented for two reasons. One was that many delegates thought the Virginia Plan was going too far. They had been directed by Congress to just revise the Articles and the Virginia Plan of government seemed to be a completely new form of governance.

N1: Because it was so different, many felt that it had no chance of being approved by the majority of the states, but the main reason for rejecting the Virginia Plan would be to preserve the one vote for each state that currently existed under the Articles of Confederation. This plan was presented on a Friday.

N2: On Monday, Alexander Hamilton presented yet another plan, which was called the British Plan because it resembled how the British government was setup. It was beginning to look like the entire process was falling apart.

Act II - Convention in Crisis

N1: The New Jersey Plan was defeated in a vote and for the next several days the delegates concentrated on how the two houses of Congress should be setup, as in how long the representatives should serve, eligibility, etc.

N2: On June 27th, Luther Martin spoke on behalf of the Connecticut Compromise in a speech described as long, rambling, and generally disagreeable. James Madison called it as a "three hour, desultory speech."

N1: He even continued the next day! By the way, desultory means a dragged-out ordeal. We hope you don't mind that we have condensed his speech to the following.

Mr. Martin: The General government is meant merely to preserve the State governments; not to govern individuals. Its powers ought to be kept within narrow limits. If too little power is given to it, more might be added. But if too much power is given to it, it can never be reclaimed to the people. An equal vote in each State is essential to the federal idea, and is founded in justice and freedom, not merely in policy. The States being equal cannot treat or confederate so as to give up an equality of votes without giving up their liberty. The propositions on the table are a system of slavery for ten states. Since Virginia, Massachusetts, and Pennsylvania will have 42 of the 90 votes, they can do as they please without a miraculous union of the other ten.

N2: Mr. Martin eventually stated he was too exhausted to continue and that he would continue his remarks the next day.

N1: Few were probably excited about that prospect, but the convention adjourned for the day.

N2: The next day he concluded his speech, which Mr. Madison noted he delivered "with much diffuseness and much vehemence."

N1: In other words, he was wordy and poorly organized, but spoke with a lot of feeling. The other delegates responded to his speech.

Mr. Williamson: I cannot understand how the smaller States will be injured in the case of large states having a larger vote. I wish some gentleman will vouchsafe a solution of it. The small States, if they have a plurality of votes will have an interest in throwing the burdens off their own shoulders onto those of the large ones. I beg that the expected addition of new States from the Westward may be kept in view.

They will be small and poor. They will consequently be tempted to combine so as to lay their burdens on the old States.

Mr. Madison: Why are Counties of the same states represented in proportion to their numbers? Is it because the representatives are chosen by the people themselves? So will be the representatives in the National Legislature. Is it because the larger have more at stake than the smaller? The case will be the same with the larger and smaller States. Was a combination of the large States dreaded? This must arise either from some common interest or from the mere circumstance of similarity of size. In point of manners, religion, and other circumstances, they are not more assimilated than the other States. In point of staple productions they are as dissimilar as any three other states. Among individuals of superior eminence and weight in society, rivalry is much more frequent than coalitions. The true policy of the small states, therefore, lies in promoting those principles and that form of government which will most approximate the States to the condition of counties.

Mr. Sherman: The question is not what rights naturally belong to men, but how they may be most equally and effectually guarded in society. And if some give up more than others in order to attain this end, there can be no room for complaint. The rich man who enters into society along with the poor man, gives up more than the poor man, yet with an equal vote he is equally safe. Were he to have more votes than the poor man in proportion to his superior stake, the rights of the poor man would immediately cease to be secure.

N1: Debate continued so long and with little result, that Dr. Franklin even thought it would help to include prayer before the session. The delegates debated this idea with much of the discussion related to how the public might interpret this request and the lack of funds for it. Eventually they adjourned without voting on the motion.

N2: The debate regarding representation, however, continued the next day, Friday, June 29th.

Dr. Johnson: On the whole, I think that as in some respects the States should be considered in their political capacity, and in others as districts of individual citizens. The two ideas should be embraced as different sides of the same issue, instead of being opposed to each other. The ideas ought to be combined; that is in one branch the people ought to be represented; in the other, the States.

Mr. Ghorum: Among individuals, composed partly of weak, and partly of strong, the former most need the protection of law and government. The case is exactly the same with weak and powerful states. On the whole I consider Union of the States as necessary to their happiness, and a firm General Government as necessary to their Union.

Mr. Madison: I agree with Dr. Johnson that the mixed nature of the Government ought to be kept in view. Under the proposed government, the powers of the States

will be much farther reduced. According to the views of every member, the General Government will have powers far beyond those exercised by the British Parliament, when the States were part of the British Empire. I pray the gentlemen representing the small States ponder well the consequences of suffering the Confederacy to go to pieces.

Mr. Hamilton: It has been said that if the smaller States renounce their equality, they renounce at the same time their liberty. The truth is it is a contest for power, not for liberty. Will the men composing the small States be less free than those composing the larger? The State of Delaware having 40,000 souls will lose power, if she has 1/10th only of the votes allowed to Pennsylvania having 400,000; but will the people of Delaware be less free, if each citizen has an equal vote with each citizen of Pennsylvania? This was the critical moment for forming such a Government. We should run every risk in trusting to future amendments. It is a miracle that we are now here exercising our tranquil and free deliberations on the subject. It would be madness to trust to future miracles.

Mr. Pierce: I consider the equality of votes under the Confederation as the great source of the public difficulties. The members of Congress were advocates for local advantages. State distinctions must be sacrificed as far as the general good required, but without destroying the States. Though from a small State I feel I am a citizen of the United States.

Mr. Gerry: I urge you that we were never independent States, were not such now, and never could be even on the principles of the Confederation. I was a member of Congress at the time the federal articles were formed. The injustice of allowing each State an equal vote was long insisted on. I voted for it, but it was against my judgment, and under the pressure of public danger, and the obstinacy of the lesser States. I lament that instead of coming here like a band of brothers, belonging to the same family, we seemed to have brought with us the spirit of political negotiators.

Mr. Ellsworth: I move that the rule of suffrage in the Senate be the same with that established by the Articles of Confederation. I hope it will become a ground of compromise. We are partly national; partly federal. The proportional representation in the first branch is conformable to the national principle and will secure the large States against the small. An equality of voices is conformable to the federal principle and is necessary to secure the small States against the large. I trust that on this middle ground a compromise will take place. And if no compromise should take place, our meeting will not only be in vain but worse than in vain. I am not in general a half-way man, yet I prefer doing half the good we can, rather than doing nothing at all.

N1: On that note, the delegates adjourned for the weekend. On Monday, the Connecticut Compromise was defeated again, on a tie vote, with half of the states voting for it and half against.

N2: However, a committee of eleven delegates was created, the Gerry Committee, to try and finally settle the issue. Also, the delegates decided to adjourn until Thursday, so those that chose to may attend the celebrations of the anniversary of Independence, July 4th.

N1: Finally, on July 16th, the decision to give the States equal representation in the Senate passed. This Connecticut Compromise that held by one vote!

N2: The next day another committee, called the Committee of Detail, was formed to start drafting the Constitution of the United States. The rest of the delegates adjourned until August 6th.

Act III - Details & Final Issues

N1: On August 6th, the Committee of Detail submitted the rough draft to the rest of the delegates. The rest of the month was spent on specific details with few major issues until the issue of slavery came up.

N2: Southern delegates wanted to keep slavery going because they felt their economies would collapse if it was abolished. In fact, many of the largest slave holders in the South were at the convention.

N1: Most northern delegates did not like slavery, but they really did not like the slave trade, that is, the importation of new slaves from Africa. Even some slave holders objected to the slave trade, because it lessened the value of their own slaves.

N2: Compromise would again be the key to settling this issue, at least for the time being, as we will see on Wednesday, August 22nd.

Mr. Sherman: I disapprove of the slave trade, yet as the States are now possessed of the right to import slaves, as the public good did not require it to be taken from them, and as it is expedient to have as few objections as possible to the proposed scheme of government, I think it best to leave the matter as we find it. I note that the abolition of slavery seemed to be going on in the United States and that the good sense of the several States will probably by degrees complete it.

Mr. Mason: This infernal traffic originated in the greed of British merchants. The British government constantly checked the attempts of Virginia to put a stop to it. The present question concerns not the importing States alone but the whole Union. Maryland and Virginia have already prohibited the importation of slaves. North Carolina has done the same in substance. All this will be in vain if South Carolina and Georgia are at liberty to import. Every master of slaves is born a petty tyrant. I hold it essential in every point of view that the General Government should have power to prevent the increase of slavery.

Mr. Ellsworth: As I have never owned a slave I cannot judge the effects of slavery on character. However, if it is to be considered in a moral light we ought to go farther and free those already in the country. As population increases poor laborers will be so plentiful as to render slaves useless. Slavery in time will not be a speck in our Country. Provision is already made in Connecticut for abolishing it, and the abolition has already taken place in Massachusetts.

Mr. Pinkney: In all ages one half of mankind has been slaves. If the southern States are left alone, they will probably stop importations themselves. I would myself, as a citizen of South Carolina vote for it. An attempt to take away the right as proposed will produce serious objections to the Constitution which I wish to see adopted.

General Pinkney: South Carolina and Georgia cannot do without slaves. As to Virginia, she will gain by stopping the importations. Her slaves will rise in value and she has more than she wants. I contend that the importation of slaves will be for the interest of the whole Union. The more slaves, the more produce to employ the carrying trade. The more consumption, the more revenue for the common treasury.

Mr. Rutledge: If the convention thinks that North Carolina, South Carolina, and Georgia will ever agree to the plan, unless their right to import slaves is untouched, the expectation is vain. The people of those States will never be such fools as to give up so important an interest.

Mr. Sherman: It is better to let the southern States import slaves than to part with them, if they make that an essential thing. I am opposed to a tax on slaves imported as making the matter worse, because it implies they are property. I acknowledge that if the power of prohibiting the importation should be given to the General Government that it will be exercised.

Mr. Randolph: I am committing in order that some middle ground might, if possible, be found. I can never agree to the clause as it stands. I will sooner risk the constitution. By agreeing to the clause, it will revolt the Quakers, the Methodists, and many others in the States having no slaves. On the other hand, two States may be lost to the Union. Let us then try the chance of a commitment.

N1: The delegates in the end decided that slaves would still be counted as 3/5ths of a person for representation but also for tax purposes as well.

N2: And that Congress would not abolish the slave trade before 1808, which it did on January 1st of that very year.

N1: On August 31st, the "Committee of Eleven" was established, and it settled the debate over how to elect the President. Its idea was the Electoral College, which was

modeled on the Connecticut Compromise, that is, an election based on a distribution of power between the people and the States.

N2: Few, if any, gave any thought to the idea that the man who would be the first President of the United States was already sitting in front of them as President of the Convention, George Washington.

N1: The last issue facing the delegates was whether to include a Bill of Rights. Most felt that since each State had one in their constitutions already, it wasn't necessary.

N2: Also, with all the debate over other issues, few thought it could be accomplished in a timely manner, and quite frankly, the delegates were tired and ready to go home!

N1: On September 17, 1787, the final draft of the Constitution was signed by 39 of the original 55 delegates who attended the convention. Of those who did not sign, some had left early, others didn't sign in protest, especially because no Bill of Rights had been included.

N2: Now each state had to review the document and vote whether to ratify, or accept, the constitution as the new model for our government.

N1: Delaware was the first state to do so, but eventually all thirteen states did so, even Rhode Island, which had sent no delegates and initially rejected it.

N2: A Bill of Rights, which so many of the states had wanted included, was added a few years later.

Epilogue

N1: At the beginning of the Constitution of the United States is the Preamble. Its purpose is to state the reasons for and intent of the law.

N2: We will now read the preamble a section at a time and explain the significance of each part.

Character 1: *"We the People of the United States"* - The delegates of the convention were some of the most important and influential people of their time. One person had referred to them as demi-gods even, but they knew that Americans of all classes had banded together to win their independence from England and that this document was meant to preserve that independence for all, poor or rich, farmer or merchant, northerner or southerner.

Character 2: *"in Order to form a more perfect Union"* - This line demonstrated that the Constitution was an attempt to improve upon what the Articles of Confederation

had started, and that the delegates knew it wasn't perfect, but they hoped it would be more perfect.

Character 3: *"establish Justice"* - The unfairness of laws and tariffs that individual states had imposed on their own citizens and other states was a major concern of Americans at the time and had been one of the reasons for wanting to improve the Articles of Confederation.

Character 4: *"insure Domestic Tranquility"* - The revolt known as Shays' Rebellion had been another major issue of the time for Americans. Having peace on the home front was something everyone hoped the Constitution would maintain.

Character 5: *"provide for the common defense"* - Not one of the thirteen states would be able to defend itself against attack from England, Spain, or Indians. The Union would only be strong when the states acted together to protect each other.

Character 6: *"promote the general Welfare"* - This, and the next line, are the goal of the previous three lines. Put those in place and everyone benefits.

Character 7: *"and secure the Blessings of Liberty to ourselves and our Posterity"* - The War of Independence had just ended four years ago and the delegates wanted to remind everyone of what they had earned in that victory and how they hoped this document would protect those rights for future generations as well.

Character 8: *"do ordain and establish this Constitution for the United States of America"* This line reconnects with the first line, that is, the people put into action this document in place of the Articles of Confederation. This line also names the document and restates the country for which it was written.

The End