

On July 4, 1788, Philadelphians turned out for a “grand federal procession” in honor of the new national constitution. Workers in various trades and professions demonstrated. Blacksmiths carted around a working forge, on which they symbolically beat swords into farm tools. Potters proudly carried a sign paraphrasing from the Bible, “The potter hath power over his clay,” linking God’s power with an artisan’s work and a citizen’s control over the country. Christian clergymen meanwhile marched arm-in-arm with Jewish rabbis. The grand procession represented what many Americans hoped the United States would become: a diverse but cohesive, prosperous nation.¹ Over the next few years, Americans would celebrate more of these patriotic holidays. In April 1789, for example, thousands gathered in New York to see George Washington take the presidential oath of office. That November, Washington called his fellow citizens to celebrate with a day of thanksgiving, particularly for “the peaceable and rational manner” in which the government had been established.² But the new nation was never as cohesive as its champions had hoped. Although the officials of the new federal government—and the people who supported it—placed great emphasis on unity and cooperation, the country was often anything but unified. The Constitution itself had been a controversial document adopted to strengthen the government so that it could withstand internal conflicts. Whatever the later celebrations, the new nation had looked to the future with uncertainty. Less than two years before the national celebrations of 1788 and 1789, the United States had faced the threat of collapse. In 1786 and 1787, a few years after the Revolution ended, thousands of farmers in western Massachusetts were struggling under a heavy burden of debt. Their problems were made worse by weak local and national economies. Many political leaders saw both the debt and the struggling economy as a consequence of the Articles of Confederation, which provided the federal government with no way to raise revenue and did little to create a cohesive nation out of the various states. The farmers wanted the Massachusetts government to protect them from their creditors, but the state supported the lenders instead. As creditors threatened to foreclose on their property, many of these farmers, including Revolutionary War veterans, took up arms. Led by a fellow veteran named Daniel Shays, these armed men, the “Shaysites,” resorted to tactics like the patriots had used before the Revolution, forming blockades around courthouses to keep judges from issuing foreclosure orders. These protesters saw their cause and their methods as an extension of the “Spirit of 1776”; they were protecting their rights and demanding redress for the people’s grievances. Governor James Bowdoin, however, saw the Shaysites as rebels who wanted to rule the government through mob violence. He called up thousands of militiamen to disperse them. A former Revolutionary general, Benjamin Lincoln, led the state force, insisting that Massachusetts must prevent “a state of anarchy, confusion and slavery.”³ In January 1787, Lincoln’s militia arrested more than one thousand Shaysites and reopened the courts. Daniel Shays and other leaders were indicted for treason, and several were sentenced to death, but eventually Shays and most of his followers received pardons. Their protest, which became known as Shays’ Rebellion, generated intense national debate. While some Americans, like Thomas Jefferson, thought “a little rebellion now and then” helped keep the country free, others feared the nation was sliding toward anarchy and complained that the states could not maintain control. For nationalists like James Madison of Virginia, Shays’ Rebellion was a prime example of why the country needed a strong central government. “Liberty,” Madison warned, “may be endangered by the

abuses of liberty as well as the abuses of power.”⁴ The uprising in Massachusetts convinced leaders around the country to act. After years of goading by James Madison and other nationalists, delegates from twelve of the thirteen states met at the Pennsylvania state house in Philadelphia in the summer of 1787. Only Rhode Island declined to send a representative. The delegates arrived at the convention with instructions to revise the Articles of Confederation. The biggest problem the convention needed to solve was the federal government’s inability to levy taxes. That weakness meant that the burden of paying back debt from the Revolutionary War fell on the states. The states, in turn, found themselves beholden to the lenders who had bought up their war bonds. That was part of why Massachusetts had chosen to side with its wealthy bondholders over poor western farmers.⁵ James Madison, however, had no intention of simply revising the Articles of Confederation. He intended to produce a completely new national constitution. In the preceding year, he had completed two extensive research projects—one on the history of government in the United States, the other on the history of republics around the world. He used this research as the basis for a proposal he brought with him to Philadelphia. It came to be called the Virginia Plan, named after Madison’s home state.⁶ The Virginia Plan was daring. Classical learning said that a republican form of government required a small and homogenous state: the Roman republic, or a small country like Denmark, for example. Citizens who were too far apart or too different could not govern themselves successfully. Conventional wisdom said the United States needed to have a very weak central government, which should simply represent the states on certain matters they had in common. Otherwise, power should stay at the state or local level. But Madison’s research had led him in a different direction. He believed it was possible to create “an extended republic” encompassing a diversity of people, climates, and customs. The Virginia Plan, therefore, proposed that the United States should have a strong federal government. It was to have three branches—legislative, executive, and judicial—with power to act on any issues of national concern. The legislature, or Congress, would have two houses, in which every state would be represented according to its population size or tax base. The national legislature would have veto power over state laws.⁷ Other delegates to the convention generally agreed with Madison that the Articles of Confederation had failed. But they did not agree on what kind of government should replace them. In particular, they disagreed about the best method of representation in the new Congress. Representation was an important issue that influenced a host of other decisions, including deciding how the national executive branch should work, what specific powers the federal government should have, and even what to do about the divisive issue of slavery. For more than a decade, each state had enjoyed a single vote in the Continental Congress. Small states like New Jersey and Delaware wanted to keep things that way. The Connecticut delegate Roger Sherman, furthermore, argued that members of Congress should be appointed by the state legislatures. Ordinary voters, Sherman said, lacked information, were “constantly liable to be misled” and “should have as little to do as may be” about most national decisions.⁸ Large states, however, preferred the Virginia Plan, which would give their citizens far more power over the legislative branch. James Wilson of Pennsylvania argued that since the Virginia Plan would vastly increase the powers of the national government, representation should be drawn as directly as possible from the public. No government, he warned, “could long subsist without the confidence of the people.”⁹ Ultimately, Roger Sherman suggested a

compromise. Congress would have a lower house, the House of Representatives, in which members were assigned according to each state's population, and an upper house, which became the Senate, in which each state would have one vote. This proposal, after months of debate, was adopted in a slightly altered form as the Great Compromise: each state would have two senators, who could vote independently. In addition to establishing both types of representation, this compromise also counted a slave as three fifths of a person for representation and tax purposes. The delegates took even longer to decide on the form of the national executive branch. Should executive power be in the hands of a committee or a single person? How should its officeholders be chosen? On June 1, James Wilson moved that the national executive power reside in a single person. Coming only four years after the American Revolution, that proposal was extremely contentious; it conjured up images of an elected monarchy.¹⁰ The delegates also worried about how to protect the executive branch from corruption or undue control. They endlessly debated these questions, and not until early September did they decide the president would be elected by a special electoral college. In the end, the Constitutional Convention proposed a government unlike any other, combining elements copied from ancient republics and English political tradition but making some limited democratic innovations—all while trying to maintain a delicate balance between national and state sovereignty. It was a complicated and highly controversial scheme