

## Document Based Question: The Constitution

Discuss the arguments for and against the ratification of the Constitution. In your response be sure to explain how the structure and powers of the federal government changed under the Constitution as compared to the Articles of Confederation

### Document 1. Preamble to the United States Constitution

*We the people of the United States, in order to form a more perfect union, establish justice, insure domestic tranquility, provide for the common defense, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity, do ordain and establish this Constitution for the United States of America.*

1. Explain how TWO goals of the United States Constitution address issues or problems that arose during the period of the Articles of Confederation (1781–1789).

### Document 2. Article I, Section 8 of the United States Constitution

*1 The Congress shall have Power To lay and collect Taxes, Duties, [Imposts](#) and [Excises](#), to pay the Debts and provide for the common Defence and general [Welfare](#) of the United States; but all Duties, [Imposts](#) and [Excises](#) shall be uniform throughout the United States;*

*3 To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes;*

*5 To coin Money, regulate the Value thereof,*

*11 To raise and support Armies*

*18 To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.*

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1. What could the Federal Government do under the Constitution that it could not do under the Articles of Confederation?
2. Explain the meaning of clause 18.

### **Document 3: Article II of the United States Constitution**

The executive Power shall be vested in a President of the United States of America. He shall hold his Office during the Term of four Years, and, together with the Vice President, chosen for the same Term,

The President shall be Commander in Chief of the Army and Navy of the United States, and of the Militia of the several States, when called into the actual Service of the United States;

1. What change did the framers of the Constitution make in the structure of the federal government as compared to the government that existed under the Articles of Confederation?

### **Document 4: Massachusetts Sentinel, a *Federalist* Newspaper, October 20, 1787**

Let us look and behold the distresses which prevail in every part of our country . . . the complaints of our farmers. . . the complaints of every class of public creditors . . . the melancholy faces of our working peoples . . . our ships rotting in our harbors . . . the insults that are offered to the American name and character in every court of Europe . . . View these things, fellow citizens, and then say that we do not require a new, a protecting, and efficient federal government if you can.

1. Why does the editor support ratifying the Constitution?

### **Document 5: Anti-Federalist, Mercy Otis Warren, "Observations of the New Federal Constitution." 1788.**

There is no security in the system [under the proposed new U.S. Constitution] either for the rights of conscience or the liberty of the press. . . . The executive and the legislature are so dangerously blended that they give jus cause for alarm. . . . There is no provision for a rotation nor anything else to prevent a political office from remaining in the same hands for life.

1. Why did Mercy Otis Warren oppose ratifying the constitution?

**Document 6: George Washington, Letter to John Jay, August 1, 1786.**

Your sentiments, that our affairs are drawing rapidly to a crisis, accord with my own. . . . We have errors to correct. We have probably had too good an opinion of human nature in forming our confederation. . . . Thirteen sovereign, independent, disunited States are in the habit of refusing compliance with our national Congress at their option.

Would to God, that wise measures may be taken in time to avert the consequences we have but too much reason to apprehend.

1. What did Washington mean by saying “we have errors to correct?”
2. What do you suppose he meant by saying “we have probably had too good an opinion of human nature in forming our confederation”?

**Document 7: James Winthrop, an Anti-Federalist, 1787.**

*To promote the happiness of the people, it is necessary that there should be local laws. . . . It is impossible for one code of laws to suit Georgia and Massachusetts. They must, therefore be able to make their own laws. Under this new Constitution, the laws of Congress are in all cases to be the supreme law of the land, and above the constitutions of the individual states. . . . The idea of an uncompounded republic, on an average, one thousand miles in length, and eight hundred in breadth, and containing six million inhabitants all reduced to the same standard of morals, of habits, and of laws, is in itself an absurdity.*

1. Why did Winthrop oppose the new Constitution?

**Document 8: Anti-Federalist, Amos Singletree, member of the Massachusetts Constitutional Ratification Convention, 1788.**

These lawyers and men of learning, and monied men, that talk so finely and gloss over matters so smoothly, to make us poor illiterate people swallow down the pill, expect to get into Congress themselves . . . and get all the power and all the money into their own hands, and then they will swallow all us little folks. . . .

1. Why did Amos Singletree oppose the Constitution?

**Document 9: Thomas Jefferson, Letter to James Madison, 1787.**

*...I like much the general idea of framing a government which should go on of itself peaceably, without needing continual recurrence to the state legislatures. I like the organization of the government into Legislative, Judiciary and Executive. I like the power given the Legislature to levy taxes.... I am captivated by the compromise of the opposite claims of the great and little states, of the latter to equal, and the former to proportional influence. I like the negative given to the Executive with a third of either house.*

*I will now add what I do not like. First the omission of a bill of rights providing clearly and without the aid of sophisms for freedom of religion, freedom of the press, protection against standing armies, restriction against monopolies, the eternal and unremitting force of the habeas corpus laws, and trials by jury in all matters of fact triable by the laws of the land.... Let me add that a bill of rights is what the people are entitled to against every government on earth, general or particular, and what no just government should refuse, or rest on inference.*

1. What are two features of the Constitution that Jefferson liked?
  
  
  
  
  
  
  
  
  
  
2. What are two features that he did not like?