

The New Nation: Ordinary Americans and the Constitution

By Gary B. Nash, The Gilder Lehrman Institute of American History, adapted by Newsela staff on 11.08.16

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Level 1040L



TOP: The signing of the United States Constitution in 1787. Undated painting by Stearns. BOTTOM: William Lloyd Garrison. Photo: Southworth and Hawes.

The Constitution is highly honored today, at home and around the world. However, when it was originally written many Americans were against it. They were upset that the document contained no Bill of Rights to protect their individual freedoms. Many felt that the Constitution was the work of rich men who meant to weaken what the American Revolution had achieved. This is why many historians agree that if the Constitution had been sent to the people for a vote, it would not have been approved.

Three major groups — African-Americans, artisans and small farmers — were especially uncertain about the Constitution. They feared that it would compromise the founding principles of the American Revolution.

African-Americans

In 1790, enslaved African-Americans made up about one-sixth of the nation's population. They knew that the Constitution's lofty words "To create a more perfect union" did nothing to release

them and their children from slavery.

Free African-Americans and white anti-Federalists were disturbed that the Constitution was pro-slavery. It even contained a fugitive slave clause, which said that runaway slaves had to be returned to their owners. Some saw this as proof that northern leaders at the Constitutional Convention had given in to southern slave owners.

In 1845, James Madison's notes on the debates of the Constitutional Convention were finally published. William Lloyd Garrison, the famous abolitionist, said the notes showed that the Constitution was "an agreement with hell."

In 1850, Frederick Douglass expressed what many believed about the Constitution. "Liberty and Slavery — opposite as Heaven and Hell — are both in the Constitution," the black abolitionist wrote. He suggested that the words "Liberty and Justice" be replaced with "Kidnapping and Slave holding."



Artisans

Craftsmen, who worked with their hands, were about one-tenth of the population. They were called artisans. They did not all think alike. However, most supported the Constitution. They knew that the Articles of Confederation, written 10 years before, left the Continental Congress with no taxing power and with no authority to raise an army to protect them from violent protests. They worried that black slaves who wanted freedom or white farmers angry about higher taxes and debt would revolt. They also wanted protection for American-made goods. A strong central government would be able to tax goods coming from England. The result would be higher prices on English products and more people "buying American."

Yet a great many artisans also worried about the Constitution. They wanted to be able to borrow money, buy land and get an education. Knowing how important working people were to the community, many artisans feared the rich would feed off the poor, whom they called "the sheeplike masses" and "the vulgar herd." If the Constitution helped the super-wealthy to rise and control business, the small businessman's dreams of success would be crushed.

By the late 18th century, most artisans had drifted away from the Federalist Party that supported the Constitution. Proud to live "by the sweat of their brows," the artisans passed down their fear of government power to later generations of workers.

Small farmers

Amos Singletary was a farmer from Massachusetts who spoke at the state convention gathered in 1788 to approve the Constitution. Singletary was a poor farmer with many debts who had just survived a bloody revolutionary war. He said, "These lawyers, and men of learning, and moneyed

men, that talk so finely, and gloss over matters so smoothly ... will swallow up all of us little folks ... just as the whale swallowed up Jonah. This is what I am afraid of."

Singleary did not speak for all farmers and probably not for most of the farmers in Massachusetts. But he spoke for those who earned a small living on the frontiers of the new nation from Maine to Georgia. These poor farmers feared and hated the rich that lived off of the hard-working men.

However, many ordinary farmers did support the Constitution. They accepted the Federalists' ideas that the nation needed a strong central power to collect taxes for national defense and manage relationships with other countries. Later, during hard times, farmers would step forward across the nation to protest that a small number of wealthy Americans were benefiting the most from the Constitution.

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Quiz

- 1 Based on the article, which of the following statements is TRUE?
- (A) Most Anti-Federalists expressed support for the Constitution.
 - (B) Many slave owners did not support the Constitution at first.
 - (C) Freedom and prosperity were two of the major concerns about the Constitution.
 - (D) The Bill of Rights was a key component of the Constitution from the beginning.
- 2 According to the section "Artisans," how did some artisans' support of the Constitution change?
- (A) They supported it at first, but then decided that higher taxes and higher prices were damaging to their businesses.
 - (B) They supported it at first, but then began to fear it gave too much power to the rich and would limit their own success.
 - (C) They opposed it at first, but then began to fear that their ability to succeed in business was dependent on the support of a strong government.
 - (D) They opposed it at first, but then decided it would protect them from violent revolts and allow them to get more education and become more successful.
- 3 How does the author emphasize the perspectives of African-Americans and poor farmers in the article?
- (A) by comparing the two groups to one another
 - (B) by explaining the differences between the two groups
 - (C) by providing quotations from individuals in those groups
 - (D) by describing the difficult conditions those groups endured
- 4 What is the author's MOST likely purpose for including the following statement in the introduction [paragraphs 1-2]?
- This is why many historians agree that if the Constitution had been sent to the people for a vote, it would not have been approved.*
- (A) to indicate that the majority of Americans initially disliked the Constitution
 - (B) to explain why historians question the importance of the Constitution
 - (C) to show that many historians dispute the importance of the Constitution
 - (D) to provide evidence supporting the groups who did not like the Constitution

"We the People": The Constitution, and the political legacy of slavery

By Steven Mintz, The Gilder Lehrman Institute of American History, adapted by Newsela staff on 12.02.19

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The Signing of the Constitution of the United States, with George Washington, Benjamin Franklin, and Thomas Jefferson at the Constitutional Convention of 1787; oil painting on canvas by Howard Chandler Christy, 1940. The painting is 20 by 30 feet and hangs in the United States Capitol building. Photo: GraphicaArtis/Getty Images

On the 200th anniversary of the United States Constitution, Thurgood Marshall called the Constitution "defective from the start." Marshall was the first African-American to sit on the Supreme Court. He pointed out that the framers had left out a majority of Americans when they wrote the phrase, "We the People," which begins the Constitution. Some members of the Constitutional Convention objected to slavery. However, Marshall said they "consented to a document which laid a foundation for the tragic events which were to follow."

The Three-Fifths Compromise

The word "slave" does not appear in the Constitution. The framers deliberately avoided the word, recognizing that it would tarnish the document. Nevertheless, slavery received important protections in the Constitution. The notorious three-fifths clause counted slaves as three-fifths of a white person for determining how many congressmen each state would have. It gave the South

extra representation in the House of Representatives and extra votes in the Electoral College. Thomas Jefferson would have lost the election of 1800 if not for the Three-fifths Compromise. The Constitution also stopped Congress from outlawing the Atlantic slave trade for 20 years. A fugitive slave clause in the Constitution required the return of runaway slaves to their owners. The Constitution gave the federal government the power to put down domestic rebellions, including slave rebellions.

The framers of the Constitution wanted a strong central government. They believed that giving in on slavery would win them the support of Southern delegates. They were convinced that if the Constitution restricted the slave trade, South Carolina and Georgia would refuse to join the Union. But by sidestepping the slavery issue, the framers sowed the seeds for future conflict. After the convention approved the great compromise, James Madison wrote, "It seems now to be pretty well understood that the real difference of interests lies not between the large and small but between the Northern and Southern states." Slavery forms "the line of discrimination," he said.

Nearly Half Of Delegates Were Slave Owners

Of the 55 delegates to the Constitutional Convention, about 25 owned slaves. Many of the framers had moral qualms about slavery, and some of them joined anti-slavery societies. Two of them were Benjamin Franklin, a former slaveholder, and Alexander Hamilton, who was born in a slave colony in the British West Indies.

On August 21, 1787, a bitter debate broke out over a South Carolina proposal. It would have stopped the federal government from limiting the Atlantic slave trade. Luther Martin of Maryland, a slaveholder, said that the slave trade should be regulated by the federal government since the entire nation would be responsible for suppressing slave revolts. He also considered the slave trade contrary to America's republican ideals. "It is inconsistent with the principles of the Revolution," he said. Martin called it "dishonorable to the American character to have such a feature in the constitution."

Heated Debate On Issue

John Rutledge of South Carolina responded forcefully. "Religion and humanity have nothing to do with this question," he insisted. The slave trade should be left to the states or else the Southern-most states "shall not be parties to the union." A Virginia delegate, George Mason, who owned hundreds of slaves, spoke out against slavery in ringing terms. "Slavery," he said, "discourages arts and manufactures. The poor despise labor when performed by slaves." Slavery also corrupted slaveholders. "Every master of slaves is born a petty tyrant. They bring the judgment of heaven on a country."

Oliver Ellsworth of Connecticut said that slaveholders from Maryland and Virginia were hypocrites. They could afford to oppose the slave trade, he claimed. "Slaves multiply so fast in Virginia and Maryland that it is cheaper to raise than import them. Ellsworth suggested that ending the slave trade would create a shortage that would benefit them since their slaves would increase in value.

Give-And-Take Compromise

The controversy over the Atlantic slave trade was ultimately settled by compromise. Northern delegates agreed to a 20-year ban on any restrictions on the Atlantic slave trade. In exchange,

Southern delegates agreed that the government could require that goods be carried on American vessels. These laws would benefit Northeastern shipbuilders and sailors. The same day this agreement was reached, the convention also adopted the fugitive slave clause. It required the return of runaway slaves to their owners.

Was the Constitution a proslavery document, as abolitionist William Lloyd Garrison claimed? In 1854, he burned the Consitution and called it "an agreement with Hell." This question still creates controversy. If the Constitution temporarily strengthened slavery, it also created a central government powerful enough to eventually outlaw the institution.

_ * Steven Mintz is a professor of history and director of the American Cultures Program at the University of Houston. _

Quiz

1 Which two of the following sentences from the article include central ideas of the article?

1. *Nevertheless, slavery received important protections in the Constitution.*
2. *A fugitive slave clause in the Constitution required the return of runaway slaves to their owners.*
3. *Many of the framers had moral qualms about slavery, and some of them joined anti-slavery societies.*
4. *If the Constitution temporarily strengthened slavery, it also created a central government powerful enough to eventually outlaw the institution.*

- (A) 1 and 3
(B) 1 and 4
(C) 2 and 3
(D) 2 and 4

2 Read the following paragraphs from the section "Heated Debate On Issue."

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How is the central idea developed in these two paragraphs?

- (A) by describing the moral corruption that resulted from owning and trading slaves and explaining how that corruption would spread
- (B) by explaining the motivations of slaveholders and showing that their actions would ultimately lead to economic ruin
- (C) by laying out the arguments for and against slavery and describing the overall effect on slaveholders and slave traders
- (D) by presenting the issues of states' rights and economic benefits to outline the reasons slavery continued to be supported by North and South

3 Why were Northern delegates willing to compromise on the issue of slavery?

- (A) They respected the beliefs of the Southern delegates.
- (B) They wanted to create a strong central government.
- (C) They believed that states' rights were more important than federal power.
- (D) They knew the Southern economy could benefit from the slave trade.

According to George Mason, how did slavery affect the nation?

- (A) Slavery created a nation of hypocrites who spoke out against slavery while still benefiting from it.
- (B) People developed contempt for labor and were corrupted from owning slaves.
- (C) The nation's economy boomed from the industries that were supported by slavery.
- (D) Although the Atlantic slave trade ended, the nation grew wealthy from the domestic slave trade.

The woman whose words inflamed the American Revolution

By Smithsonian, adapted by Newsela staff on 03.03.20

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Level **830L**



Mercy Otis Warren, as painted by John Singleton Copley in 1763. Painting owned by Museum of Fine Arts in Boston. Photo from: Wikimedia Commons.

During the American Revolution, when few women in this country could read, Mercy Otis Warren wrote. She penned articles that criticized British leaders. She was one of the first American women who wrote mostly for publication. Her articles appeared in Boston newspapers starting in 1772, though many of them appeared under a different name. She also wrote poems and plays.

Warren was the younger sister of James Otis, an important leader in Boston. He supported colonists' rights in the 1760s. She read widely, including plays, poems and history by many famous writers. She met her future husband, James Warren, when her brother graduated from Harvard University. The couple married in 1754 when she was 26 years old. She raised five children and began writing poems about family and nature.

In the 1760s, patriots met at the Warrens' Plymouth home. Her husband and her brother worked in the Massachusetts government. They opposed colonial governor Thomas Hutchinson. But

James Otis could no longer work after a British customs officer hit him in the head and injured him during a fight in 1769.

Answered Brother's Letters

After her brother was injured, he became mentally unwell. Warren answered his letters for him. Warren also began writing plays that criticized Hutchinson, her brother's enemy. Her first play, "The Adulateur," written in 1772, portrayed Hutchinson as Rapatio, a cruel leader of an imaginary kingdom. The hero was called Brutus, based on her brother James. Leading patriots knew Warren wrote the play.

After the 1773 Boston Tea Party, Warren wrote a poem called "The Squabble of the Sea-Nymphs." John Adams encouraged her to write it. At the time, he was a fellow patriot. Later, he became a Founding Father and the second president of the United States. Warren later wrote poems that encouraged women not to buy British goods. She wrote another play that came out two weeks before the battles of Lexington and Concord.

Warren did not use her own name on her work so she could avoid criticism from the British. Readers did not know if a man or woman wrote her articles. That meant they could judge her work on its qualities alone.

During the war, Warren handled her husband's private business and managed their farm. He was away working as president of the Massachusetts congress. In November 1775, the British controlled Boston. James Warren wrote to Adams, a friend and official of the Continental Congress in Philadelphia. He urged Adams to stop trying to get along with George III, Great Britain's king.

Mercy added a paragraph to the letter. It is time "to unlock the bars, and open every gate" that stands in the way of creating the American republic, she wrote.

Articles Against The U.S. Constitution

As Americans debated the proposed new Constitution in 1787, Warren and her husband became Anti-Federalists. They were more loyal to their state than the country's government. The Warrens wrote articles arguing against the Constitution. The Constitution was intended to become the law of the United States.

They wrote their articles without their real names. She wrote, among other things, that the Constitution did not insist on a free press, freedom of conscience (the right to make your own decisions) or trial by jury. These ideas became part of the U.S. Constitution.

Warren worried that the Constitution did not protect people enough. It did not stop government leaders from entering their houses and taking their possessions when they wanted. Her writing created the support that led Congress to pass the Bill of Rights in 1789.

In 1790, Warren wrote a book called "Poems, Dramatic and Miscellaneous." She used her own name. In 1805, she wrote a 1,200-page history of the American Revolution. That book is called "History of the Rise, Progress and Termination of the American Revolution." It made her the U.S.'s first female historian, and the only one of her time period to write about the nation's founding from that point of view.

Quiz

- 1 What effect did James and Mercy Otis Warren's writing have on the Constitution?
- (A) It led to the creation of a Bill of Rights to protect the people.
 - (B) It led to the removal of many freedoms in the Constitution.
 - (C) It led to criticism from the Founding Fathers and the British.
 - (D) It led to a declaration of war between the colonies and the British.
- 2 What caused Mercy Otis Warren to begin writing political poems?
- (A) She was criticized for featuring her brother as Brutus in a play.
 - (B) She was encouraged by John Adams to write about the Boston Tea Party.
 - (C) She was taking over her husband's business while he was away.
 - (D) She was eager to become the United States' first female historian.
- 3 This article is mostly organized using chronology.
- How would the article be different if it were organized using a problem and solution structure?
- (A) The article would begin with readers' reactions to Warren's plays, poems and letters.
 - (B) The article would begin with background information about how the American Revolution began.
 - (C) The article would begin with a summary of Warren's childhood before she became a writer.
 - (D) The article would begin with a description of the concerns that Warren wrote about.
- 4 Read the article's introduction [paragraphs 1-3] and the final section, "Articles Against The U.S. Constitution."
- What is one connection between these two sections?
- (A) The introduction describes how Warren began writing, while the final section highlights the impact of her writing.
 - (B) The introduction provides personal information about Warren, while the final section describes her career as a politician.
 - (C) The introduction presents the main conflict in Warren's life, while the final section summarizes how it was resolved.
 - (D) The introduction provides examples of Warren's writing style, while the final section shows how her writing changed over time.

Race and the American Constitution: A Struggle toward National Ideals

By James O. Horton, The Gilder Lehrman Institute of American History, adapted by Newsela staff on 04.18.17

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Frederick Douglass was a 19th century abolitionist, suffragist, writer, editor and statesman. He is, of course, best known for his work against slavery and for equal rights for all.

In the summer of 1852, Frederick Douglass stood on a platform at Corinthian Hall in Rochester, New York, to give a speech on slavery.

Douglass was a former slave and had become one of the most recognized anti-slavery speakers in the nation. The Rochester Ladies Anti-Slavery Society asked him to speak at its Fourth of July observance.

For years, free African-Americans and many whites had refused to celebrate the Fourth of July in protest of the nation's continuance of slavery.

Douglass agreed to address the group so he could use the occasion for his own personal protest. There was a crowd of at least 600 and Douglass delivered one of the most striking lectures Americans had ever heard at a critical moment in the country's history.

Two years earlier, the federal government had issued a harsh runaway slave law. The law required that runaway slaves be captured and returned to their masters. It also forced all citizens to assist authorities and slave catchers, or be punished. The law was a brutal reminder that slaveholders had rights, and that African-Americans did not.

"Gross injustice and cruelty"

As Douglass stood before the crowd, he asked: "What to the slave is your Fourth of July?" His answer was it is "a day that reveals to him [the slave], more than all other days in the year, the gross injustice and cruelty to which he is the constant victim."

The United States had long been torn because it was a country that sought independence from England, but then allowed some of its people to enslave others.

A nation divided over slavery

On July 4, 1776, America's Declaration of Independence was established. America was now free from Britain, but was not unified as one country because different states wanted different things. One of the biggest issues of debate was the future of slavery in America. Some Northern states outlawed slavery after the American Revolution.

In 1787, the Constitutional Convention gathered in Philadelphia. It was the same location where the Declaration of Independence had been signed 11 years earlier. For four months, 55 delegates from 12 states met to write a Constitution for the new country.

Some Southern delegates argued that slavery was necessary to their state economies. Rawlins Lowndes of South Carolina said that slavery was the source of the state's "wealth, [and] our only natural resource."

Constitution empowers slaveholders

The Constitution was accepted in the fall of 1787. It protected slavery and empowered slaveholders in many ways. For example, there was a "three-fifths clause," which allowed states to count three-fifths of their slave population when calculating their populations. This number was then used to decide how many representatives each state would have in the House of Representatives in Congress. This gave slave states more representatives and greatly expanded their power in Congress.

There was a provision written into the Constitution concerning the Atlantic slave trade. This was when Africans were captured and brought on ships across the Atlantic Ocean to America to become slaves. The North favored an end to American participation in the African slave trade, and the South did not. In the end, a compromise was reached and written in the Constitution. It said Congress must allow the slave trade to continue for 20 more years.

George Washington had stayed mostly silent during these exchanges on slavery. He was a slaveholder, but was also conflicted about slavery. His experience with black soldiers during wartime had raised questions in his mind about the slave system, but he did not argue against it. To end slavery immediately, he believed, would be dangerous so he hoped for a gradual end to slavery. Washington later wrote to a friend that there were parts of the Constitution that would never have his approval.

The law of the land protected the institution of slavery

For the next 50 years, the Constitution was used to protect the institution of slavery.

Before the Civil War, the Constitution did not protect free blacks from unfair treatment by individual states. By 1830, free blacks could vote on an equal basis with whites only in five states.

In the Northwest Territory, slavery had once been prohibited. (The Northwest Territory covered the area that is now the states of Ohio, Indiana, Illinois, Michigan, and Wisconsin, as well as the northeastern part of Minnesota.) Now, governments in that territory severely restricted the rights of free blacks. Some even prohibited black settlement altogether.

The constitutional fight against slavery

For many African-Americans, a Constitution that would keep them enslaved could not be respected.

William Wells Brown, was a former slave who, like Douglass, became an important figure in the movement to end slavery. He wanted the Constitution to be replaced by a new document. "Let us destroy the Constitution and build on its ruins the temple of liberty," he said.

Many whites who wanted to do away with slavery thought the Constitution had been written to allow slavery. In 1843, Boston abolitionist William Lloyd Garrison proposed that non-slave states leave the nation. On the Fourth of July 11 years later, he publicly burned a copy of the Constitution, pronouncing it "the source and parent of the other [American] atrocities."

As the voices of anti-slavery grew louder during the first half of the 1800s, the constitutional protections of slavery came under more attacks. Finally, the Southern states' desire to separate from the North and the coming of the Civil War enabled President Abraham Lincoln to act. He removed constitutional protections for slavery and then banned slavery with the 13th Amendment.

Civil War leads to changes in the Constitution

After the Civil War, parts of the Constitution were removed that didn't allow certain races to be Americans. The 14th Amendment in 1868 declared that people couldn't be prevented from being citizens because of their race. Then, the 15th Amendment in 1870 protected African-Americans' voting rights.

These actions provided a foundation upon which the civil rights movement in the 1900s could be built. But, the struggle for rights continued and still does today.

American racial attitudes have contradicted American ideals of freedom and equality. Over the last two centuries, Americans have remained determined to see the country live up to the values upon which it was founded.

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Quiz

- 1 Read the section "The constitutional fight against slavery."
Select the paragraph that explains how challenges to earlier compromises led to a breaking point between the North and the South.
- 2 Which piece of evidence BEST supports the idea that the South was able to gain governmental influence through the way the Constitution was written?
- (A) It protected slavery and empowered slaveholders in many ways.
 - (B) This gave slave states more representatives and greatly expanded their power in Congress.
 - (C) It said Congress must allow the slave trade to continue for 20 more years.
 - (D) For the next 50 years, the Constitution was used to protect the institution of slavery.
- 3 Out of the following, which is the MOST likely reason why the author includes the quote from Douglass in the section "Gross injustice and cruelty"?
- (A) to highlight Douglass' anger at the crowd assembled before him
 - (B) to highlight Douglass' passion and skill as a speaker
 - (C) to illustrate how well-educated Douglass was
 - (D) to illustrate the long days worked by all slaves
- 4 Read the paragraph from the section "The constitutional fight against slavery."

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How does the paragraph help develop the idea that the fight against slavery was growing?

- (A) It shows how some people were willing to do public protests against slavery.
- (B) It shows how some people wanted to start a civil war over slavery.
- (C) It shows how many white people wanted slavery to be abolished in the years before the Civil War.
- (D) It shows how many people were taking extreme actions in the years before the Civil War.