

Why was the United States Constitution Written?

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Investigative Question: Why was the United States Constitution written? How did the Articles of Confederation fail to provide the structure and power necessary to become a member of the global economic community, and how did the new Constitution succeed in establishing a significant political and economic identity for the United States in the international realm?

Teaching Thesis: The status of late 18th-century international relations was fragile—Spain, France, Great Britain, and the Netherlands were all vying for authority in the lucrative transatlantic trade that dominated contemporary commerce, and the newly independent United States was struggling to find stability. This scenario offers a perspective on the creation of the US Constitution that is omitted from most historical accounts, and foreign to students at the secondary level. While the traditional view of the Founding Fathers as idealists who sought to protect liberty and equality for citizens does contain merit, students' deeper analysis of America in the 1780's will show that the Articles of Confederation could not establish economic stability, particularly on a comprehensive global scale, and a new Constitution was needed to secure American prosperity. The new US Constitution created methods of trade, taxation, law enforcement, and overall political stability that propelled America to international significance.

3. Contextual Essay

The traditional historical narrative of the creation of the US Constitution usually depicts the Framers as proponents of democracy, who created the document to better secure liberty for citizens. Students are taught the beautiful language of the Declaration of Independence, and how the Framers created a system of checks and balances, federalism, and consent of the governed in order to ensure the power of the people. In fact, "The only original thing in the US Constitution is federalism"¹. The question that exists, therefore, is "Why was the Constitution created?". Examination of primary source documents, including letters from Washington, Madison, and French Ambassadors, et al, as well as secondary sources, such as excerpts from Charles Beard, Woody Holton, and Eric Black, illustrate the economic motives behind the elimination of the Articles of Confederation and the creation of the US Constitution. Throughout this series of lessons, students will learn that, while the idealism of political philosophy was important to the Founding Fathers, that the actual priority of Revolutionary political leaders was economic stability for the new United States of America. In particular, US trade relations with major European nations were suffering, and the country was on the verge of economic and political collapse under the Articles. Traditionally, this part of our history is not included in the curriculum, and therefore students have no idea about the debt and ineffectiveness

¹ Berkin, Carol (Feb 2010)

of the Articles of Confederation, and more importantly, how those economic weaknesses made the United States vulnerable internationally. One letter that students will investigate comes from William Lee, an American diplomat, who wrote to John Adams in the Netherlands,

I must confess that I can't be perfectly easy, however favorable things may appear, while the War continues and the Independence of America is not acknowledged by more than one power in Europe... The principal embarrassment of Congress seems to be the want of money....².

With no judicial branch, a virtually non-existent executive branch, and a Congress nearly completely beholden to the thirteen states, the US under the Articles was unable to make swift trade agreements, sign treaties, or raise any revenue in the 1780's. In a letter to the French Foreign Minister in the US, French diplomat Chevalier de la Luzerne writes,

The good citizens are in despair, seeing that one or two states can thwart the measures adopted by the rest of the Confederation, and after having worked several years to close a breach, another suddenly opens at the point where it was least expected³

Students will examine the Articles themselves, and see those stipulations such as, "The taxes for paying that proportion shall be laid and levied by the authority and direction of the legislatures of the several States...."⁴, and

Each state retains its sovereignty, freedom, and independence, and every power, jurisdiction, and right, which is not by this Confederation expressly delegated to the United States, in Congress assembled⁵.

Included in this unit, specifically in the first lesson, are questions that students can use to analyze how these articles led to economic weakness. In the second lesson, students will synthesize this information with secondary perspectives and firsthand accounts of America under the Articles, and the need for revisions in the Articles in order for the new nation to create longevity and stability. For example, George Washington writes in a letter to David Humphreys:

I am mortified beyond expression that in the moment of our acknowledged Independence we should by our conduct verify the predictions of our transatlantic foe, and render ourselves ridiculous and contemptible in the eyes of all Europe⁶.

The US was deeply in debt, and foreign countries, especially France and the Netherlands, were concerned about the nation's stability and longevity. As our weaknesses became more apparent, despite the pleas of plenipotentiaries such as John Adams, and colonial politicians such as William Lee of Virginia, foreign willingness to

² Lee, William (1781)

³ Chevalier de la Luzerne (1784, Philadelphia)

⁴ <http://www.usconstitution.net/artciles.html> (1995)

⁵ <http://www.usconstitution.net/articles.html> (1995)

⁶ Washington (1786, Mount Vernon)

give the US credit waned, and therefore the country was opening itself up for takeover by one of the major powers vying for supremacy in the New World. The Founders, who realized that the nation was suffering economically and politically (and who, according to Charles Beard , “were...men of business and property and the holders of public securities”⁷) knew a better plan of government was needed to solve these problems, and therefore met in Philadelphia and eventually created the US Constitution.

After students examine the Articles of Confederation, and supplementary primary and secondary source documents, they will be given a brief synopsis of the Constitutional Convention, and then allowed the opportunity to consider several historical photographs, and their reflections of the powers of government under the current Constitution. More importantly, students will assess the possibilities of those photographs under the Articles of Confederation—could actions of government that occur today happened under the Articles? By looking at these pictures from this perspective, students will successfully identify the key differences between these two founding documents, and can apply sections of the Constitution to actual scenarios. The final part of this unit involves a Socratic Seminar, where students will read a list of popular “theories” on the motives of the Founders, and the reasons behind our Constitution, and then will write an essay giving their own opinions on the matter.

When addressing this topic, Jonathan Chu, in *America on the World Stage: A Global Approach to Teaching US History*, says,

Students can examine the structural continuities that determined new trade patterns and the practical influences on the Constitution. The objectives of this discussion point out 1) the unanticipated consequences of the demise of British imperial regulatory mechanisms, 2) the uncertainties of the future American economy, 3) how existing structures defined future trade activities, and 4) the links between economic activity and the rise of constitutional government. (Chu, *America on the World Stage* p. 14)

Analyzing these ideas will allow students to think of the emerging United States as a significant international trade partner, not just as the rebellious colony of a tyrannical Great Britain. They will see the US as an autonomous political and economic entity, rather than the simple product of British taxes in a historical timeline. Additionally, evaluating the motives for the creation of the Constitution shows students of US and Virginia Government that politics were in play over 200 years ago, and that the basic priorities of government in the late 18th-century are not dissimilar to those of government today. When students can synthesize their knowledge of economics and politics with the traditional historical narrative, they gain a much deeper understanding of the Founding of this nation.

The standards met by this project are widespread. Because this project contains varied activities, such as a Socratic Seminar, photograph and chart analysis, primary and secondary source assessment, political cartoon study, and note-taking, several skills mentioned in the National History Standards are met, as well as all components of Virginia GOVT 1 under the Standards of Learning. The Virginia SOLs for 12th graders require students to understand the primary purposes of government, the underlying

⁷ Beard, Charles (1913)

values and principles of the US as outlines in the Constitution, an understanding of the ratification debates, and to examine the three branches as the structure of government.

Finally, these lessons allow for significant differentiation in the classroom, depending on the needs of particular students and teachers. Activities can be adjusted easily depending on students' reading levels, and each lesson is adaptable for assorted scaffolding from instructors. Students at all reading levels need to comprehend the motives of the Founding Fathers, and as citizens of this nation, all students deserve the chance to better appreciate its history—not just those who can easily analyze higher-level documents.