

As the delegates gathered for the last time, Benjamin Franklin rose and said:

### Primary Source

**"I cannot help expressing a wish, that every member of the Convention who may still have objections to it, would with me, on this occasion, doubt a little of his own infallibility, and . . . put his name to this instrument."**

—Benjamin Franklin, *Records of the Federal Convention of 1787*

Three delegates refused to sign. Edmund Randolph and George Mason of Virginia, along with Elbridge Gerry of Massachusetts, feared that the new Constitution handed over too much power to the national government.

The Constitution's creation began a process in which states had to decide whether to approve the Constitution. Each state would hold a convention to approve or reject the plan for the new government. Once nine states endorsed it, the Constitution would become law.

### **READING CHECK** Identify Supporting

**Details** Why did some delegates choose not to sign the Constitution?

**Analyze Images** Although some northern states wanted to ban slavery, the Constitutional Convention did not end slavery or the slave trade. **Summarize** Explain why the delegates decided to compromise on this issue.




## Lesson Check

### Practice Vocabulary

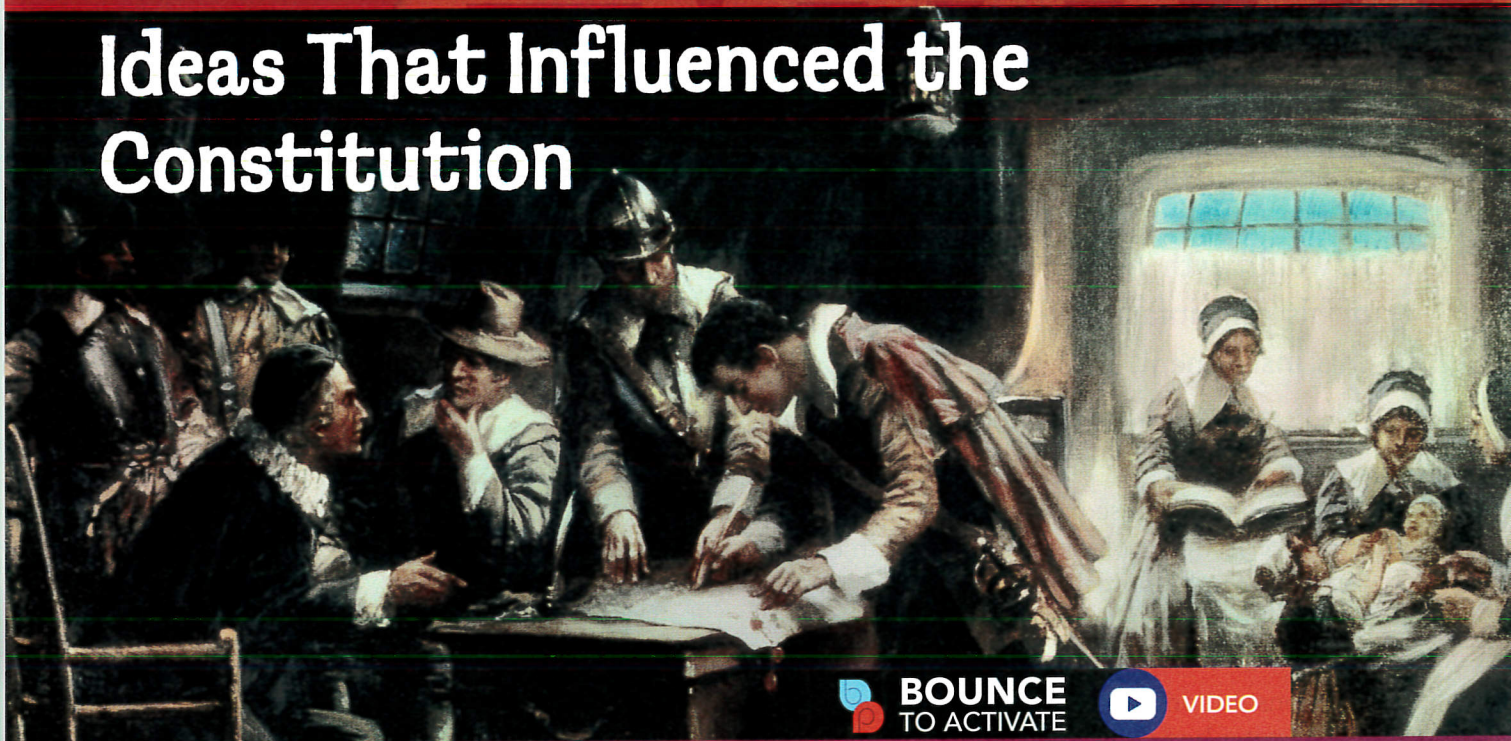
1. How did the legislative branch of government differ under the **Virginia Plan** and the **New Jersey Plan**?
2. What role did **compromise** play at the **Constitutional Convention**?

### Critical Thinking and Writing

3. **Draw Conclusions** Could the Constitution have been produced if George Washington had not attended the Convention? Explain.
4. **Infer** What is so significant about the Preamble's opening words, "We the People of the United States . . . "?
5. **Writing Workshop: Support Claims** Write a few sentences in your  Active Journal that support claims concerning how much power the government should have. These sentences will help you develop the essay that you will write at the end of the Topic.

## LESSON 3

# Ideas That Influenced the Constitution



## GET READY TO READ

### START UP

Look at the image of the signing of the Mayflower Compact. How did that document influence the Constitution?

### GUIDING QUESTIONS

- What did American leaders learn about government from studying ancient Rome?
- How did ideas and traditions from Europe and the colonial past shape the Constitution?

### TAKE NOTES

#### Literacy Skills Classify and Categorize

Use the graphic organizer in your Active Journal to take notes as you read the lesson.

### PRACTICE VOCABULARY

Use the vocabulary activity in your Active Journal to practice the vocabulary words.

#### Vocabulary

republic  
dictatorship  
Magna Carta  
English Bill of Rights  
separation of powers

#### Academic Vocabulary

civic  
free enterprise

Long before the Revolution, John Adams called on Americans to investigate how governments worked. He urged them to “search into the spirit of the British constitution” and study the great examples of ancient Greece and Rome. Adams knew the new nation could learn much from the past. The delegates to the Constitutional Convention followed his advice.

### What Did Americans Learn from the Roman Republic?

The delegates wanted to create a **republic**, a government in which citizens rule themselves through elected representatives. Few republics in the history of the world survived very long. To create one that would last, American leaders looked to the ancient examples of Greece and Rome.

### What Was Civic Republicanism?

Americans greatly admired the Roman Republic. Independence and public service were virtues that the founders saw in the citizens of Rome.

Roman citizens were willing to serve in public office because they were devoted to their republic. The tradition of encouraging citizen participation to promote the common good, or the well-being of the community, became known as **civic** republicanism. The founders kept this in mind as they worked.

**A Belief in Independent Citizens** At the same time, the Founding Fathers saw the collapse of Rome's republic as a warning to the United States. No republic could survive unless its citizens remained independent and devoted to public service without the desire for personal or financial gains. Under the ruler Caesar Augustus, Rome eventually became a **dictatorship**, a government in which one person or a small group holds complete authority. The leaders of the American Revolution believed that Romans stumbled once they allowed corruption to take over.

Historians today admit that the Founding Fathers somewhat exaggerated the virtues of Rome's republic. Yet the lessons they learned still have force. Republics do not always die because they are invaded from outside. They can decay from within unless their citizens put the nation's needs above their own. Achieving this republican ideal takes dedication and also education, as American leaders knew. They had encouraged education in the Northwest Ordinance. Thomas Jefferson later wrote, "If a nation expects to be ignorant and free, in a state of civilization, it expects what never was and never will be."

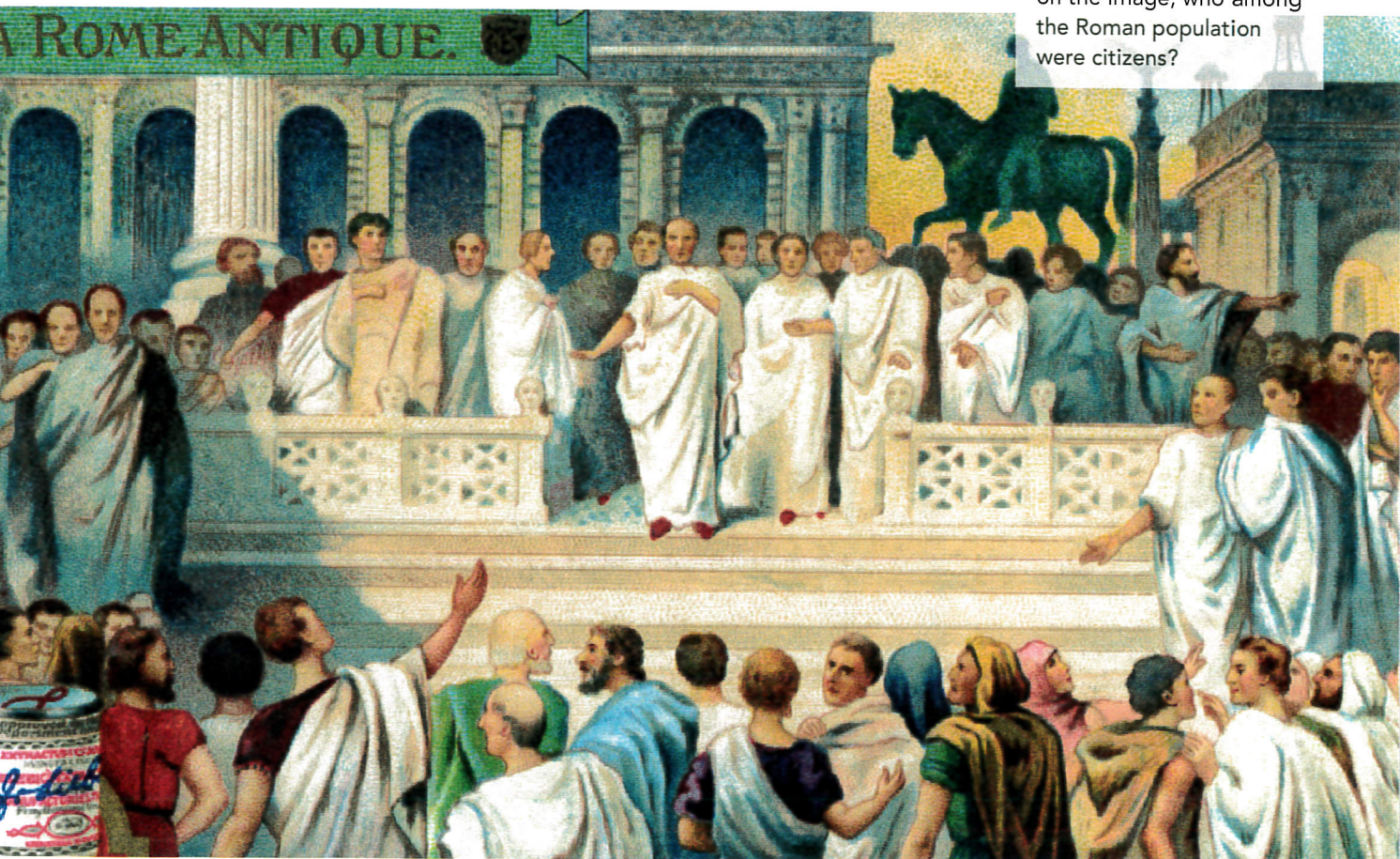
**READING CHECK** **Identify Supporting Details** What qualities of citizens in the Roman Republic did many of the founders admire?

### Academic Vocabulary

**civic** • *adj.*, having to do with being a citizen

### Analyze Images

The Roman Republic inspired the founders because it was a long-lasting representative government. **Infer** Based on the image, who among the Roman population were citizens?





## INTERACTIVE

Influences on the Constitution

## How Did English Documents Influence the Framers?

Greece and Rome were not the only examples of democratic government. Despite their quarrel with Britain, leaders of the Revolution valued British traditions of freedom.

**The Magna Carta** King John of England signed the **Magna Carta** in 1215. The Magna Carta contained two basic ideas that helped to shape both British and American government. First, it made it clear that English monarchs themselves had to obey the law.

King John agreed not to raise taxes without first consulting the Great Council of nobles and church officials. Eventually, the Great Council grew into the British Parliament.

Just as important, the Magna Carta stated that English nobles had certain rights—rights that were later extended to other classes of people as well. These included rights to trial by jury and the right to private property. The idea of private property rights strongly influenced the beliefs of early Americans, which partly explains the development of a **free enterprise** system throughout the nation.

**The English Bill of Rights** In 1689, the **English Bill of Rights** went further in protecting the rights of citizens. The document said that parliamentary elections should be held regularly.

It upheld the right to trial by jury and allowed some citizens to bear arms. It also affirmed the right of habeas corpus, the idea that no one could be held in prison without first being charged with a specific crime.



**READING CHECK Identify Central Issues** What are some of the significant ideas found in the Magna Carta?

### Academic Vocabulary

**free enterprise** • *n.*, an economic system in which businesses compete freely with little government control

### Analyze Images

This illustration shows King John of England signing the Magna Carta in 1215.

**Identify Main Ideas** How might the Magna Carta have influenced the ideas of the Framers of the United States Constitution?



## What American Traditions Did the Framers Draw On?

Americans enjoyed a long tradition of representative government. The Virginia colonists set up the House of Burgesses. Eventually, each colony elected its own legislature.

**Self-Government** Americans were used to governing themselves, sometimes without representatives. In New England, the residents of the town took a direct and active role in making their town's laws at an annual Town Meeting.

Americans were also used to relying on written documents that clearly identified the powers and limits of government. The Mayflower Compact, written in 1620, was the first document of self-government in North America. Each of the colonies had a written charter granted by the monarch or by Parliament.

**Answerable to the People** The Framers of the Constitution also drew on their own experiences. They bitterly remembered their grievances against the English king. In writing the Constitution, they sought to prevent such abuses.

For example, the Declaration of Independence accused the king of placing military power above civilian authority. The Constitution made the elected President "Commander in Chief of the Army and Navy . . . and of the militia of the several states." The Declaration protested that the king had made judges "dependent on his will alone." The Constitution set up a court system independent of the President and legislature.

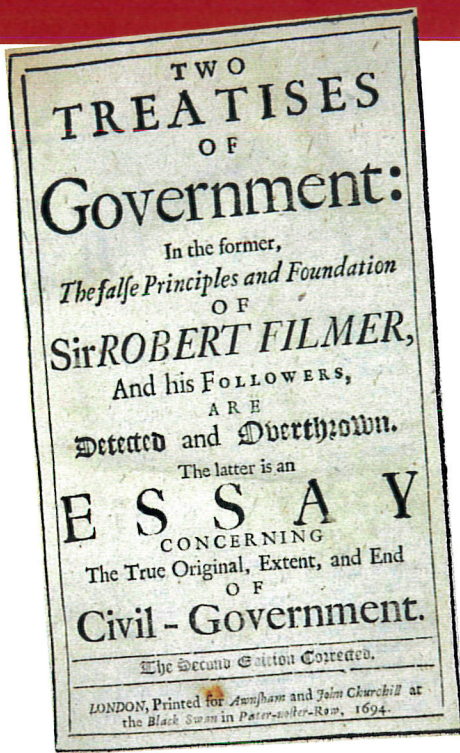
The Framers were very familiar with the workings of the Second Continental Congress, the Articles of Confederation, and their own state governments. Much that went into the Constitution came either from the Articles or from the state constitutions.

**Limits to Democratic Rights** Not all Americans enjoyed the same democratic rights during this period. State voting laws generally reflected colonial ideas about race, gender, and wealth. Only white male adults who owned property could vote or hold office in much of the country.

This left out the vast majority of women, African Americans, and Native Americans. A few states, mostly in New England, did allow free black men to vote if they met property qualifications, but the number who met those qualifications was very small. Unmarried women were allowed to own property and live independently and even enter into contracts. Married women were not so fortunate. Everything they owned before marriage or earned during it became their husbands' property. In either case, women had no political rights.



**Analyze Images** In this engraving, William and Mary receive the English Bill of Rights. **Cite Evidence** How did the English Bill of Rights expand the rights given to citizens in the Magna Carta?



## The Influence of the Enlightenment

The Constitution was also based on the ideas of the European Enlightenment. Enlightenment thinkers believed that people could improve society through the use of reason. Many of the Constitution's Framers had read the works of Enlightenment thinkers.

**John Locke** The English writer John Locke published *Two Treatises of Government* in 1690. In it, he stated two important ideas. First, Locke declared that all people had natural rights to life, liberty, and property.

Second, he suggested that government is an agreement between the ruler and the ruled. The ruler must enforce the laws and protect the people. If a ruler violates the people's natural rights, the people have a right to rebel.

Locke's ideas were popular among Americans. The Framers of the Constitution wanted to protect people's natural rights and limit the power of government. They saw the Constitution as a contract between the people and their government.

▲ John Locke's writings suggested the idea that governments exist to secure and protect the rights of their citizens.

Locke's principle of a natural right to property was established in the Constitution. Certain guarantees in the Constitution protect the rights of people to own private property, enforce contracts, and engage freely in business activities. These freedoms are essential to a free enterprise system. Article I of the Constitution also gave Congress the power to regulate commerce and encourage the free flow of goods between states. This created an environment in which business could thrive.



### INTERACTIVE

Influences on the Constitution

## Some Grievances Against the King

GRIEVANCE IN DECLARATION OF INDEPENDENCE	MODERN INTERPRETATION
He has forbidden his governors to pass laws of immediate and pressing importance, unless suspended in their operation till his assent should be obtained; and, when so suspended, he has utterly neglected to attend to them.	Colonial government in the colonies cannot function with the king's interference.
He has dissolved representative houses, repeatedly, for opposing, with manly firmness, his invasions on the rights of the people.	Colonial governments are not free to speak out against royal policies without fear of retribution.
He has kept among us, in time of peace, standing armies, without the consent of our legislatures.	The colonies have no representation in the British Parliament.
He has excited domestic insurrections amongst us and has endeavored to bring on the inhabitants of our frontiers, the merciless Indian savages, whose known rule of warfare is an undistinguished destruction of all ages, sexes, and conditions.	The king's actions are causing conflicts between Loyalists and Patriots. He is also attempting to pit the Native Americans against the colonists by appearing as if he is protecting Native American lands from further western settlement.

**Analyze Images** This lists some of the colonists' complaints. **Summarize** What role did American Indians play in the colonists' grievances?

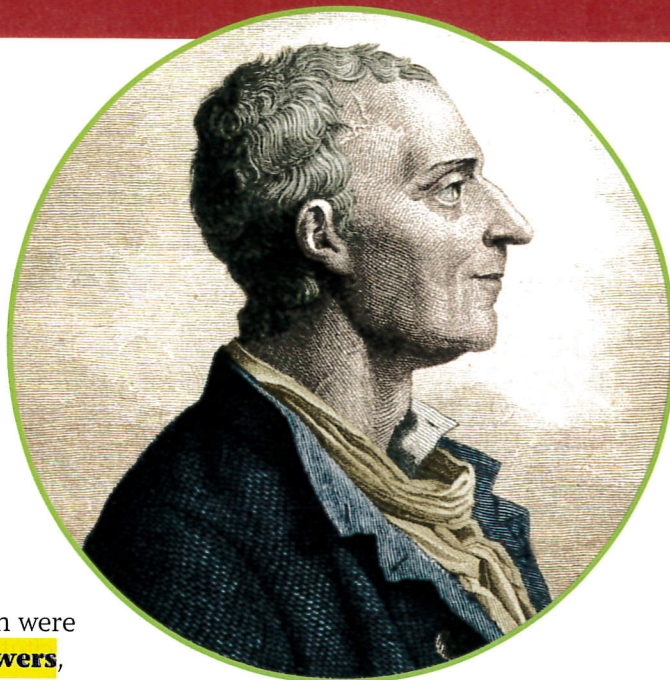
**Charles-Louis Montesquieu** The French Enlightenment thinker Charles-Louis Baron de Montesquieu (MAHN tus kyoo) influenced American ideas of how a government should be constructed.

In his 1748 book *The Spirit of the Laws*, Montesquieu stressed the importance of the rule of law. The powers of government, he said, should be clearly defined and divided up.

He suggested that three separate branches be created. The legislative branch would pass the laws. The executive branch would carry out the laws. The judicial branch, or system of courts, would decide whether laws or the Constitution were violated. This idea, known as the **separation of powers**, was designed to keep any person or group from gaining too much power.

**A New Tradition Emerges** The founders drew on many traditions. In the end, though, the new system of government was not quite like anything that came before it. When John Adams received the news from Philadelphia while serving as an ambassador to Great Britain, he wrote, “As we say at sea, huzza for the new world and farewell to the old one!” He called the Constitution “the greatest single effort of national deliberation that the world has ever seen.”

 **READING CHECK** **Identify Supporting Details** What idea from Baron de Montesquieu influenced American government?



**Analyze Images** Baron de Montesquieu was a French Enlightenment thinker.

**Summarize** How did Montesquieu’s idea of the separation of powers affect the structure of the United States Constitution?


## Lesson Check

### Practice Vocabulary

1. How did the **Magna Carta** and the **English Bill of Rights** influence the Framers’ ideas about the structure of the United States government?
2. Why do you think the founders were drawn to Montesquieu’s ideas about rule of law and **separation of powers**?

### Critical Thinking and Writing

3. **Draw Conclusions** The British constitution is unwritten. Why do you think the Framers insisted on a written Constitution?

4. **Understand Effects** Why do you think English political traditions had such a strong influence on the founders?
5. **Writing Workshop: Distinguish Claims from Opposing Claims** Think about the claims that you have introduced and supported concerning how much power the government should have. For each claim, write an opposing claim in your  Active Journal. This will help you write the essay at the end of the Topic.



## Thomas Jefferson, Virginia Statute for Religious Freedom

The Virginia Statute for Religious Freedom, drafted by Thomas Jefferson, was a forerunner of the First Amendment, which guarantees the free exercise of religion.

◀ Jefferson first drafted this document in 1777, and the Virginia legislature passed it in 1786.

### Reading and Vocabulary Support

① Something that is temporal has to do with earthly life.

② Civil incapacitations are disadvantages a citizen might face.

③ To be compelled is to be forced.

④ Civil capacities refer to the ability of a citizen to participate in the political process. See the related phrase in Item 2, *civil incapacitations*.

Whereas, Almighty God hath created the mind free; that all attempts to influence it by temporal ① punishments or burthens [burdens], or by civil incapacitations ② tend only to beget habits of hypocrisy and meanness, and are a departure from the plan of the holy author of our religion, . . . Be it enacted by General Assembly that no man shall be compelled ③ to frequent or support any religious worship, place, or ministry whatsoever, nor shall be enforced, restrained, molested, or burthened in his body or goods, nor shall otherwise suffer on account of his religious opinions or belief, but that all men shall be free to profess, and by argument to maintain, their opinions in matters of Religion, and that the same shall in no wise diminish, enlarge or affect their civil capacities. ④ And though we well know that this Assembly elected by the people for the ordinary purposes of Legislation only, have no power to restrain the acts of succeeding Assemblies constituted with powers equal to our own, and that therefore to declare this act irrevocable would be of no effect in law; yet we are free to declare, and do declare that the rights hereby asserted, are of the natural rights of mankind, and that if any act shall be hereafter passed to repeal the present or to narrow its operation, such act will be an infringement of natural right.

### Analyzing Primary Sources

Cite specific evidence from the document to support your answers.

1. **Vocabulary: Determine Meaning** What phrase in this document means that no one should be forced to attend a church?
2. **Compare and Contrast** Jefferson also drafted the Declaration of Independence. What principle, or "truth," that appears in the Declaration can also be found in this Statute of Religious Freedom?