

The Constitutional Convention

By Brenda B. Covert



Cast of Characters in order of appearance

NARRATOR #1

NARRATOR #2 (*Note: narration can be divided among more students if necessary.*)

PATRICK HENRY: Patriot and Founding Father

THOMAS JEFFERSON: Patriot and Founding Father

GEORGE WASHINGTON (Virginia): president of the Convention, keeps a small ax at his side as if he had chopped down a cherry tree

BEN FRANKLIN (Pennsylvania): 81-year-old inventor, wears large, old-fashioned key on a ribbon around his neck

JAMES MADISON (Virginia): note-taker, holds a quill at all times

GEORGE MASON (Virginia): Passionate about individual rights for the people

RUFUS KING (Massachusetts): Served on half the convention committees. A frequent speaker on the floor

EDMUND RANDOLPH (Virginia): Governor of Virginia. Presented the Virginia Plan

LUTHER MARTIN (Maryland): states' rights advocate - gave a 2-day speech that exhausted his fellow delegates. Supported the Connecticut Compromise

ROGER SHERMAN (Connecticut): a devout Puritan - rigid, awkward, and honest - proposed the Connecticut Compromise

ALEXANDER HAMILTON (New York): Supported a centralized government

MARTHA: old gossip

ELIZABETH: young gossip

PREAMBLE: recites the Preamble to the U.S. Constitution dressed in red, white, and blue

Setting: *a meeting room in the Philadelphia State House. Tables at stage left covered in green cloth. Large chair sits on a short platform stage right. It is George Washington's chair.*

NARRATOR #1: After the Revolutionary War, the people of America had their independence, and they had the Articles of Confederation. Many felt that was all they needed.

NARRATOR #2: However, there were those who felt the Articles of Confederation weren't working for the new nation. The states often ignored the federal government when it needed their help.

NARRATOR #1: America needed a stronger central government. And so in 1787 a Grand Convention was organized. The purpose was to improve the existing form of government.

NARRATOR #2: Today we call it the Constitutional Convention.

PATRICK HENRY (*entering the stage*): Just one moment. I'm Patrick Henry, and I have something to say. I signed the Declaration of Independence, and I made a famous speech in which I said, "Give me liberty, or give me death." But don't give me this nonsense about revising the Articles of Confederation. I smell a rat! (*points to ceiling with arm held high to emphasize his point - pose similar to Lady Liberty*) I refuse to attend the convention! (*Stomps out past Thomas Jefferson, who takes the stage*)

THOMAS JEFFERSON: I'm Thomas Jefferson, and I too have something to say. I'm unable to attend the Grand Convention as well. I'm on diplomatic duty in France! It's a shame really. I had an active role in forming the Declaration of Independence. If I was at the convention, I'd probably suggest that we include something about the separation of church and state. (*Shrugs*) As it stands, I'll simply put my thoughts on that subject in letters to friends! (*Bows, then turns and walks off*)

NARRATOR #1: A number of important men weren't involved in the convention.

NARRATOR #2: Some were sick or had sick family members. Others had personal or professional business to handle.

NARRATOR #1: And some, like Patrick Henry, didn't believe that the Articles of Confederation needed work.

NARRATOR #2: The convention began on May 25, 1787. Fifty-five delegates were sent to Philadelphia to represent the thirteen original states. It was a long, hot summer!

(*The convention attendees enter the room.* GEORGE WASHINGTON

will sit on a chair on a raised platform. JAMES MADISON will sit nearby and take notes of everything said. OTHERS will sit at tables.)

G. WASHINGTON (*standing*): Gentlemen, let me remind you of the rules. What happens in these meetings stays within these walls. Don't talk about it; don't even write home about it. The doors to this room stay locked, and the windows will stay shut. And keep an eye on Ben Franklin when he's out and about; he talks too much. (*Smiles at BEN and sits down*) No offense.

BEN FRANKLIN (*cheerfully*): None taken.

(JAMES MADISON holds his quill up and waits to be recognized. GEORGE WASHINGTON nods to him.)

G. WASHINGTON: The Chair recognizes James Madison.

JAMES MADISON: Thank you, General Washington. (*stands to address the others*) I know that William Jackson is the official Secretary of this convention, but I'm taking notes as well. I feel it's my duty since I was a leading advocate for assembling this convention. Besides, I'm not yet married, so I don't have a wife to write home to as do many of my esteemed colleagues. So I shall be content to take notes every day for as long as it takes. (*Sits down*)

GEORGE MASON (*standing, speaking forcefully*): It had better not take too much longer! It's hot in here! We have a right to fresh air! I make a motion that we open the windows and let the breeze flow through! Otherwise, I might have to hurt somebody!

RUFUS KING (*raising his hand*): I second that motion!

G. WASHINGTON (*glaring and sitting forward*): The chair does NOT recognize (*point axe at men*) George Mason or Rufus King, and the motion is not carried. Now let's proceed with the business at hand. (*Sits back and lays axe in lap*) Governor Randolph, would you please explain again how the Virginia Plan works?

(EDMUND RANDOLPH walks to the front of the room and faces the others, carrying a poster. The poster will have the likeness of a tree with three main branches and leaves on the end.)

E. RANDOLPH (*displaying the poster toward audience*): The Virginia Plan for the government works like this. You see three main branches of government. (*points to the middle branch*) This is the Executive Branch. This branch is in charge of running the government.

JAMES MADISON (*to himself*): Now there's an area where I'd like to serve some day.

E. RANDOLPH: Over here (*pointing to another branch*) we have the Legislative Branch. This branch makes the country's laws. It will be made up of the House of Representatives and the Senate. Together, they will be called Congress.

LUTHER MARTIN: The federal government will make laws? I don't agree with that. I believe each state has the right to make its own laws. As a matter of fact, (*turning to face the other delegates*) I have prepared a speech on the subject of states' rights -

ROGER SHERMAN (*stiffly, but honestly*): Mr. Martin, we're well aware of your stance on states' rights. Can you assure us that your speech will not take up the better part of two days?

LUTHER MARTIN (*offended*): Do you have a problem with two-day-long speeches?

GEORGE MASON (*jumping to his feet*): Yes! It's too hot and stuffy in here to be forced to sit through long, boring speeches! We have our individual rights, you know! (*pound fist on table once while saying last line*)

BEN FRANKLIN: You could do what I do, George. Sleep through the boring parts.

(*general laughter*)

G. WASHINGTON (*rising, still holding axe*): My fellow delegates, now is not the time. Please take your seats and allow Governor Randolph to continue.

(*ALL sit*)

E. RANDOLPH: Thank you, General. This (*pointing to the remaining branch*) represents the Judicial Branch. It will be made up of federal courts and headed by a Supreme Court. This branch will make sure that our laws are constitutional. It will also make sure our laws are properly obeyed.

ROGER SHERMAN (*rising respectfully to address RANDOLPH*): Excuse me, sir, but I was under the impression that we were called here to fix the problems with the Articles of Confederation. What you seem to be offering is an entirely new form of government.

E. RANDOLPH: You are very astute, Mr. Sherman. I am, in fact, advocating a national government.

GEORGE MASON (*slams hands down on the table and leaps to feet*): Outrageous! We were sent here to revise the Articles of Confederation, not destroy them!

ALEXANDER HAMILTON (*quickly standing*): I for one think this is an excellent plan. It will create unity among the states, and I support it!

(*ALL freeze*)

NARRATOR #1: Much time was spent arguing for and against a new, national government. Many fears surfaced. Who exactly was going to run the government? Would it be run like a monarchy? On the other hand, would the common people be given too much power? Then there were other concerns ... (*gesture toward actors*)

RUFUS KING (*standing and stepping toward the audience*): What about small states? I represent Massachusetts. Will a national government be as interested in our wishes as it is in the wishes of the larger states? Or will we be ignored?

ROGER SHERMAN: Connecticut shares Mr. King's concerns.

(*ALL mutter and look at each other, quietly expressing themselves*)

G. WASHINGTON (*standing, waits for the attention of ALL*): Governor, you've given us all something to think about. I believe your Virginia Plan has merit. However, it has been a long day. This meeting is adjourned until morning.

(*ALL file out. Some go alone; others pair off to talk quietly*)

NARRATOR #2: Although the Framers of the Constitution took great pains to avoid leaking information to the public, they couldn't stop rumors from spreading.

(*MARTHA and ELIZABETH walk across the front of the stage.*)

ELIZABETH: Martha, did you see Dr. Franklin when he arrived at the Convention?

MARTHA: No. Why?

ELIZABETH: He was carried in a Chinese sedan chair by four prisoners from jail! Who does he think he is, the King of Siam [SIGH-AM]?

MARTHA (*shaking her head*): You don't understand because you're still young,

Elizabeth. Dr. Franklin is 81 years old! Carriage rides are painful to old bones! (*rubs her shoulder as if in pain*) Have you heard the latest gossip?

ELIZABETH: I don't think so. What is it?

MARTHA (*stops and leans in close for a stage whisper, but facing audience*): The convention is going to ask the second son of King George the Third to become King of America.

(*JAMES MADISON appears at edge of stage, listening with a dropped jaw*)

ELIZABETH (*shocked*): No!

MARTHA (*nodding emphatically*): Yes!

ELIZABETH: No!

MARTHA: Yes!

ELIZABETH (*facing the audience, looking upwards in thought*): What they need in that convention is some Founding Mothers to set those Founding Fathers straight. (*speaking to MARTHA, arms thrown out*) How could they dream of starting another monarchy after what we went through with King George!

MARTHA: It's a terrible shame, and that's the truth.

(*MARTHA and ELIZABETH shake their heads and hurry off.*)

JAMES MADISON (*following after the women*): Hey! That's not true! We're not going to ask *anyone* to be the king of America! Wait! Do you hear me? Wait!

(*MADISON runs off stage*)

NARRATOR #1: The Constitutional Convention continued. The delegates resumed their discussions. Governor Randolph assured the men that the three separate branches of government would share power equally. One could **not** overpower the others.

NARRATOR #2: This was called the system of checks and balances. Each branch was balanced by the other two. Each branch could check the power of the others by granting or denying permission to do certain things.

NARRATOR #1: For instance, Congress has the power to enact laws.

NARRATOR #2: The president has the power to veto or reject laws.

NARRATOR #1: However, Congress can overturn a veto if enough members vote to do so.

NARRATOR #2: Speaking of presidents, the delegates have decided that the country should be led by one person, a president, with a vice-president who can take over if the president is somehow unable to serve.

NARRATOR #1: Now they must decide how to choose a president, whether to pay the president, and how long he can hold office.

*(All delegates quickly enter and take their places.
BEN FRANKLIN stands as if he has been speaking for a while.)*

BEN FRANKLIN: I make a motion that the President of the United States serve without pay. After all, (*gesturing towards WASHINGTON*) General Washington led our army for eight years without a salary. Service to our country should be based on patriotism.

JAMES MADISON (*standing*): You can't count on patriotism alone to draw the right man to the office. (*begins to spread his arms out, palms up*) Some truly capable candidates couldn't afford to work without pay!

ALEXANDER HAMILTON (*standing*): I propose that our president serve a long term—perhaps a life-long term. If we go for short terms for the office of president, we'll have a lot of ex-presidents wandering around like ghosts, gumming up the works.

BEN FRANKLIN: I understand your concern, Alexander. However, we wouldn't want to be stuck with a bad president. That would be like being stuck with a bad king. The only way we could remove him from office would be to shoot him! (*said in a joking manner*)

(general laughter)

G. WASHINGTON: This has been a productive meeting so far. The assembly of delegates has agreed to pay the president a salary from the U.S. Treasury. He will serve terms of just four years. If necessary, he can be removed from office by being impeached by Congress. (*takes a deep breath*) We will continue to discuss the many other ideas presented for consideration before we take a vote.

ROGER SHERMAN (*standing*): We need to talk about states' rights.

LUTHER MARTIN (*moving to stand with Sherman*): Sherman is right. If small states can't at least have an equal vote in the Senate, why bother being a part of this new country?

ROGER SHERMAN (*facing the audience*): I'd like to propose the Connecticut Compromise. With my plan, votes in the House of Representatives would be based on the number of people living in a state, but votes in the Senate would be equal no matter the size of the state. Say, every state elects two senators.

E. RANDOLPH (*going to face SHERMAN and MARTIN*): I don't like that at all. Larger states should have more representation.

LUTHER MARTIN (*facing RANDOLPH, speaking firmly*): I think the Connecticut Compromise is a good idea. I could support that.

RUFUS KING (*raising his hand*): I would be happy to chair a committee to work out the details of setting the number of representatives each state should have.

E. RANDOLPH (*forcefully*): I tell you that the Connecticut Compromise is a bad idea!

GEORGE MASON (*angrily*): But what about individual rights? We talk of federal rights and states' rights. What about the rights of the people? I fear they are going to be trampled!

BEN FRANKLIN (*fingertips together, palms apart*): Gentlemen, I have a suggestion to make. Before we come to blows, (*spreads arms out*) let's ask a minister to come and open each session with prayer.

ALEXANDER HAMILTON (*turning to face FRANKLIN*): We can't do that! If word got out that we needed prayer, the people would believe our convention was in dire trouble!

ROGER SHERMAN (*folding arms across chest*): It IS in dire trouble!

JAMES MADISON (*waving his quill*): Gentlemen, it has been brought to my attention that we have no money with which to pay the expenses of a minister. As you all well know, we are each here on our own dollar!

(*ALL freeze*)

NARRATOR #2: It took a lot of work, but on September 17, 1787, the new U.S. Constitution was finished. Ben Franklin admitted that it was not perfect, but then *(smile)* neither was he!

NARRATOR #1: The Constitution was ready for signing. *(WASHINGTON lays the document on a table, as men line up to sign it with MADISON's quill)* Thirty-nine of the delegates signed it. Three refused *(RANDOLPH and MASON fold their arms and turn their back on the others)* - two of them being Edmund Randolph - who had presented the Virginia Plan, and George Mason - an ardent supporter of individual rights. Thirteen others - including Luther Martin - had already left the convention. *(MARTIN walks out without signing)*

NARRATOR #2: The Convention adjourned to celebrate at Philadelphia's City Tavern.

NARRATOR #1: The new Constitution would still need to be voted on by delegates from each state. That would occur later. The first ten amendments to the U.S. Constitution, known as the Bill of Rights, were ratified in 1791. This event must have pleased George Mason. He had not signed the Constitution because to him it did not seem to protect individual rights.

NARRATOR #2: Now we present to you the Preamble of the United States Constitution.

(PREAMBLE walks center stage. All those on stage give their attention to him or her)

PREAMBLE *(spoken slowly and clearly):* 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. *(takes a bow)*

(Entire CAST appears on stage leading in applause for the PREAMBLE. Then all step forward to take a bow. The PREAMBLE should still be in the center.)