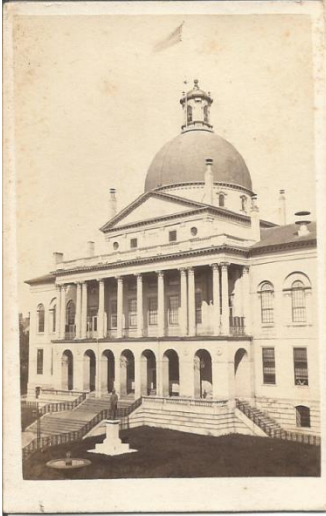


## Chapter 21 -- The Constitution Is Ratified



**Dates:**  
1787-1790

**Sections:**

- Five States Ratify Within The First Year
- Mass, Virginia And NY Assure Passage

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Time: 1787-1788

### Five States Ratify Within The First Year



Massachusetts State House

On October 27, 1787, Congress submits the Constitution to the States for ratification.

The bar for acceptance has been set at nine states, but no one is particularly comfortable about “imposing” the contract on hold-outs. So the unanimity Franklin lobbied for is deemed essential.

Proponents are well aware of the States most likely to balk at ratification, including a big three -- Massachusetts, Virginia and New York – whose cumulative population comprise 40% of the nation’s total.

To promote acceptance, the strategy lies in “frontloading” the process in States more likely to vote “yes,” thereby putting pressure on the others to follow suit.

At the same time, a publicity campaign is mounted in the popular press. Philadelphia alone boasts over 100 newspapers in 1787, and scholars have pegged literacy at 90% in New England, a level surpassed at the time only in Scotland.

The campaign comes in the form of a series of 85 articles, titled *The Federalist Papers*. These are the work of three men: Alexander Hamilton, who authors 51 of the 85, James Madison with 26, John Jay with 5, the others being collaborations.

They are all published under the pseudonym of Publius, “friend of the people” a Roman aristocrat, who helped overthrow a corrupt monarchy in 509BC. Their content is intended to inform the public about the ideas within the new Constitution and reasons why it should be supported.

By January 1788 these strategies are working, with five states voting approval by wide margins, mostly after less than a week of debate.

**First Five States To Ratify The Constitution**

States	#Days	Date	Pre- Vote	Final Vote	Key Delegates
Delaware	3	Dec 7, 1787	30-0	30-0	Bedford
Pennsylvania	23	Dec 12, 1787	46-23	46-23	Wilson
New Jersey	7	Dec 18, 1787	38-0	38-0	Brearly
Georgia	6	Dec 31, 1787	29-0	26-0	Few
Connecticut	6	Jan 9, 1788	128-40	128-40	Sherman, Ellsworth, Johnson

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Time: 1788-1790

**Massachusetts, Virginia And New York Assure Passage**

Next comes the first real test, in Massachusetts, where the 355 Convention delegates chosen are evenly divided, 177-178 “for and against” ratification, as they assemble. The debates extend over four weeks, with Rufus King and Nathaniel Gorham pitted against Anti-Federalists led by Sam Adams and, behind the scenes, Elbridge Gerry. The wild card here turns out to be Governor John Hancock, who is accused of tipping toward the “pro” side in exchange for promises of higher office in the new government. Ten votes switch sides and the Constitution is ratified by 187-168 – with an accompanying call for “amendments.”

Despite Luther Martin’s dire predictions, Maryland votes “aye” by a comfortable 63-11 margin. South Carolina follows, and when New Hampshire agrees on June 25, 1788, the nine-state target is achieved. Still all eyes remain focused on Virginia and New York.

Both Madison and Washington have been disappointed by the fact that only three of Virginia’s seven delegates signed their names to the Constitution. The venerable George Mason has refused, as has the sitting Governor, Edmund Randolph. The state also boasts two famous patriots – Patrick Henry and Richard Henry Lee – both outspoken critics of the new contract, and of Washington himself. The delegates go into the state convention with 84 tentatively pledge to vote “aye” and 84 pledged “nay.” After three weeks, five votes change hands and the Constitution is ratified. Ironically Edmund Randolph decides to lend his support, and plays an important role along the way.

New York is next. Going into the convention, the “pledges” are stacked against approval. Governor George Clinton, a fierce Anti-Federalist, is chosen to chair the assembly. Other opponents include Robert Yates and John Lansing, the two delegates who left Philadelphia in a huff back in July. The battle is joined by an impressive array on the other side: Alexander Hamilton, the diplomat John Jay, as well as many of the state’s old Dutch patroon families (Roosevelt, DeWitt, Ten Eyck). New York’s convention will last longest (39 days) and prove the most contentious. Opponents insist on a bill of rights, along with

some 32 amendments. They cannot, however, make the case for being a “lone hold-out” in the grand scheme of things, and a tight 30-27 “aye” vote prevails.

**Eight Remaining States To Ratify The Constitution**

<b>States</b>	<b>#Days</b>	<b>Date</b>	<b>Pre- Vote</b>	<b>Final Vote</b>	<b>Key Delegates</b>
Massachusetts	28	Feb 6, 1788	177-178	187-168	King, S. Adams, Hancock
Maryland	5	April 26, 1788	64-12	63-11	Martin
South Carolina	11	May 23, 1788	149-73	149-73	Rutledge, CC Pinckney, C Pinckney
New Hampshire	3	June 21, 1788	52-52	57-47	Gilman
Virginia	23	June 25, 1788	84-84	89-79	Madison, Mason, Randolph, Henry
New York	39	July 26, 1788	19-46	30-27	Hanilton, Clinton, Yates, Lansing, Jay
North Carolina	5	Nov 21, 1789	194-77	194-77	Iredell
Rhode Island	3	May 29, 1790	34-32	34-32	---

While two other states – North Carolina and Rhode Island – are still more than a year away from officially signing on, the “wins” in Massachusetts, Virginia and New York assure the creation of the new Union, known henceforth as the United States.

The time has now arrived to elect those who will convert theory into practice

*A national government ought to be established consisting of a supreme legislative, executive and judiciary.*