Celebrating 225: States Ratify Fledgling Constitution

By Daniel J. Rua

The delegates of the Constitutional Convention in Philadelphia signed the U.S. Constitution in September of 1787, taking the first step toward a new federal government. The charter had been drafted in strict secrecy, and before becoming law, would have to stand up to rigorous debate and public scrutiny. It first had to clear Congress.

Congressional representatives spent two days debating whether to officially condemn the delegates for overstepping their authority; instead of revising the Articles of Confederation, they had created a new form of government. Congress eventually dropped the issue and sent the Constitution to the states for ratification.

Nine of the thirteen states would have to ratify the Constitution for it to go into effect. Delaware was the first to ratify on December 7, 1787, much to the dismay of Pennsylvanians who were rushing to be first with hopes of securing the seat of national government in their state. In fact, Pennsylvania Federalists began proceedings for a state constitutional convention even before Congress had instructed them to do so. Antifederalists, in an attempt to block this move, refused to attend the last few days of the convention, undermining the legislative quorum and preventing any further progress. They were ultimately found at their boarding house, dragged through the streets of Philadelphia, and locked inside the Pennsylvania State House. Proceedings continued and ratification was achieved by a vote of 46-23.

The Constitution also met resistance in Massachusetts, where influential Antifederalists such as John Hancock and Samuel Adams criticized the charter for not containing a bill of rights. After much debate, Hancock switched to leading the charge for ratification. He had been convinced that should the Constitution become law, the first Congress would prioritize drafting amendments to protect individual rights. Hancock’s support, coupled with the strong support of artisans who favored a protectionist
national government, helped Massachusetts eke out a 187-168 vote in support of the Constitution.

On June 21, 1788, New Hampshire ratified the Constitution. With nine states now having approved ratification, the Constitution formally became the law of the land. The Continental Congress soon after appointed a committee responsible for holding elections for the new government. On September 13, 1788, Congress resolved that the first electors for the presidential election should be appointed in ratifying states on the first Wednesday in January, 1789. It was decided that the first Congress governed by the new Constitution would meet on the first Wednesday in March, 1789.

By the time Virginia and New York ratified the Constitution the nine-state threshold had already been met, however, their decision was still crucial to the success of the nation. Without their support, the new union would be geographically divided. Virginia ratified by a close vote of 89-79. The debates in New York gave rise to The Federalist Papers, a collection of letters by Alexander Hamilton, John Jay, and James Madison. These influential writings sought to convince the public of the necessity of a strong central government, and assure them that the separation of powers promised by the Constitution would protect them from tyranny. On July 26, 1788, New York ratified by a narrow 30-27.

All thirteen states eventually ratified the Constitution. Rhode Island was the last. It had rejected the Constitution in March 1788 by popular referendum. Faced with adverse treatment as a foreign nation by the new government, Rhode Island reconsidered, and, by a mere two votes, became the last of the original colonies to ratify on May 29, 1790.

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