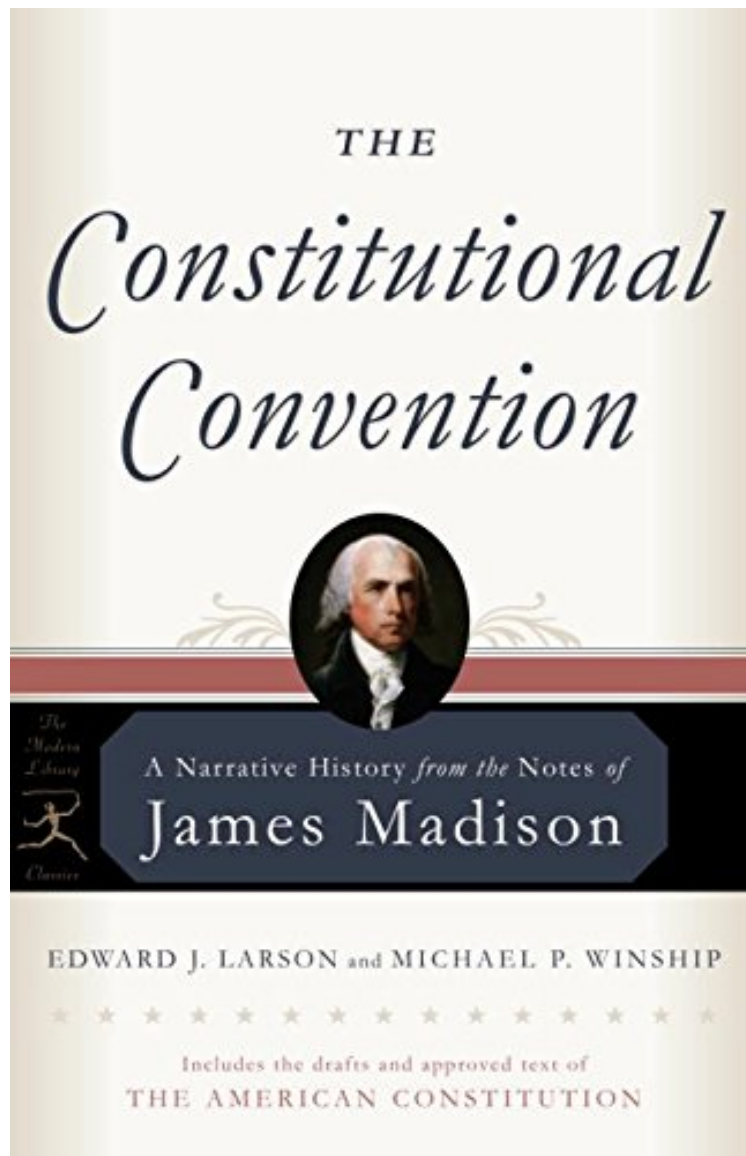


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Smith The average citizen does not know much about the United States Constitution, and knows even less about constitutional law. This is a lamentable fact. Yet if one desires insight into how the document on which our nation is founded came into being, I would suggest reading and studying James Madison's Debates in the Federal Convention of 1787. If this volume proves unmanageable, then my suggestion is to find a copy of a narrative history based primarily upon Madison's notes. The Constitutional Convention, by Edward J. Larson and Michael P. Winship, is such a book. It is both informative and easy to read. I came away from the book with several notable impressions. The strongest was that the men who attended the Constitutional Convention were hardly all geniuses, or even extraordinary statesmen for that matter. Gunning Bedford, Jr. and Jacob Broom of Delaware are examples. Bedford made the point that either the individual states or the national government could be sovereign, but not both. He was apparently unable to wrap his mind around the idea of federalism, where there are sovereigns within a sovereign. This is, of course, precisely the kind of system the Constitution established. Mr. Broom's participation was even less spectacular. He was a merchant and surveyor, who contributed only minimally to the Convention by seconding a motion. To both men's credit, they remained to the end of the Convention, which lasted almost four months, and signed the document that was ultimately crafted there. As you might guess, there was at least one delegate, William Blount of North Carolina, who was too busy trying to fill his own pockets to spend much time dedicated to fashioning a new nation. He was a liar and cheat, who was an atrocious scoundrel and the subject of the first impeachment trial ever conducted under the new Constitution. Larson and Winship do not mention him in their book, probably because he contributed nothing to the Convention's proceedings. He seems to have been cut from the same moral fabric as Aaron Burr, although fortunately not even approximating the latter's political success (Burr was almost elected President in 1800!). When reflecting upon the founders, one's mind tends to rest upon stellar figures such as Washington, Madison, Franklin, and Hamilton. Washington addressed the Convention only once, but his presence there insured its success. He was a heroic figure, whose immense honor and prestige held the at-times tense and chaotic Convention together. Madison was an erudite student of political theory, a mastermind who had prepared diligently for the Convention, sat up front so that he could hear clearly each and every speaker, took meticulous notes, and contributed enormous knowledge and wisdom to the effort. Franklin was the oldest delegate, but possessed enormous notoriety the world over. Another delegate wrote of him, "He is no speaker, nor does he seem to let politics engage his attention. He is, however, a most extraordinary man, and tells a story in a style more engaging than anything I ever heard . . . [and] . . . possesses an activity of mind equal to a youth of twenty-five years of age." Hamilton was a vain and temperamental intellectual virtuoso, whose strong and unbalanced nationalist fervor turned off his fellow-delegates. Yet his observations and arguments were vibrant both in the Convention and, later, in the ratification effort. Also, not to be ignored were lesser known, but nonetheless brilliant men. James Wilson of Pennsylvania, George Mason and Edmund Randolph of Virginia, and Elbridge Gerry of Massachusetts, as well as a host of others, gave nobly of themselves at the Convention. Not to be overlooked in this category was Luther Martin of Maryland, a gifted attorney, who provoked much thought and provided much valuable insight to the Convention, although he was a nasty-tempered, slovenly, disgusting alcoholic. It is interesting that Gerry, Mason, Randolph, and Martin refused to sign the Constitution they were instrumental in producing. Mason and Martin even worked against its ratification. There were two genuinely unsung heroes at the Convention, Roger Sherman of Connecticut and Charles Pinckney of South Carolina. Sherman was a quite practical, prudent, and levelheaded individual, who was once introduced by Thomas Jefferson as a man who "never said a foolish thing in his life." This Connecticut delegate likewise keenly understood the art of compromise. His greatest contribution was the "Great (Connecticut) Compromise," which proposed that membership in the lower house of Congress be based upon proportional representation, while each state in the upper house have the same number of representatives. The Convention, it is safe to say, would have imploded without the benefit of Sherman's steady hand and of this compromise in particular. Pinckney, on the contrary, who was a bubbling fountain of ideas, supplied the terms "President," "House," and "Senate." He advanced many other winning suggestions as well, such as (1) that the legislature be bicameral; (2) that it have the power to coin money, call up the militia, and establish post offices; (4) that the presidency consist of a vigorous, single-person executive; (5) that he direct the military as its commander-in-chief; (6) that he present an annual State of the Union address; and (7) that the judiciary be appointed. This South Carolinian did not receive a full and positive review in Madison's notes on the Convention, probably because the two men did not have the best personal relationship and even later became political adversaries, running against each other for the presidency. It amazes me that all these eighteenth century framers, who were in numerous respects a diverse

group, managed to overcome the many adversities of their situation and to work together for months to produce a magnificent document of liberty and limited government. Their deliberations were, for the most part, conversationally civil, intellectually candid and insightful, and unmistakably calculated to American interests. Compare these principled and dignified qualities to what we see in government at the present time - a chief executive who unilaterally modifies statutes or refuses to enforce them as he pleases, a Congress that is gridlocked, uncivil, and self-serving, and an unelected and unaccountable judiciary that peckishly legislates on important cultural issues. On the last day of the Convention, the 81-year old Benjamin Franklin arose to his feet and spoke to the Convention. He stated that the Constitution was not entirely to his liking, but that he was supporting it and would continue to do so. He predicted, in a way that now sends shivers up the spine, that the government created by the document "is likely to be well administered for a course of years, and can only end in despotism, as other forms have done before it, when the people shall become so corrupted as to need despotic government, being incapable of any other." Has our nation reached the point that old Ben described? Each reader may be the judge.

In 1787, the American union was in disarray. The incompatible demands of the separate states threatened its existence; some states were even in danger of turning into the kind of tyranny they had so recently deposed. A truly national government was needed, one that could raise money, regulate commerce, and defend the states against foreign threats without becoming as overbearing as England. So thirty-six-year-old James Madison believed. That summer, the Virginian was instrumental in organizing the Constitutional Convention, in which one of the world's greatest documents would be debated, created, and signed. Inspired by a sense of history in the making, he kept the most extensive notes of any attendee. Now two esteemed scholars have made these minutes accessible to everyone. Presented with modern punctuation and spelling, judicious cuts, and helpful notes plus fascinating background information on every delegate and an overview of the tumultuous times here is the great drama of how the Constitution came to be, from the opening statements to the final votes. This Modern Library Paperback Classic also includes an Introduction and appendices from the authors.

From Publishers Weekly In 1787, the fledgling American nation was in the throes of a serious economic depression, at least partly because the Articles of Confederation were too weak to make a stable republic. At the initiative of 36-year-old Virginian James Madison, delegates convened in Philadelphia that year to draft the much stronger U.S. Constitution. This book tells the convention's turbulent story in Madison's own words, drawn from the notes he took at the scene and giving us a daily blow-by-blow. Along the way, modern readers begin to understand just how much of the government's role was up for grabs. Should the executive be a single person, or was that too much like a monarchy? Would all members of Congress be elected by the people or potentially dangerous and anarchic proposition or would senators be appointed by the state legislatures? How would slaves be counted for government representation? Larson (a professor of history and law at the University of Georgia) and Winship (a professor of English at the University of Texas at Austin) steer readers through the fierce debates with helpful explanations and editorial asides, as well as a cogent epilogue, making this primary source far more than a tidy civics lesson. (On sale Nov. 8) Copyright Reed Business Information, a division of Reed Elsevier Inc. All rights reserved. From Booklist James Madison's record of the Constitutional Convention of 1787 has circulated since 1840 in various forms; this volume claims to be the "first abridged and annotated" edition. Addressing modern readers likely to become disoriented in the parliamentary thicket of the unexpurgated version, Larson and Winship distill the most salient differences that emerged in the convention--the representation of states in the national legislature, the form of the executive branch, and the status of slavery. The text thereby linked becomes more dramatic than the delegates' dry discussion of enumerated powers, as when at a contentious moment Benjamin Franklin unsuccessfully moved that the convention hire a minister to offer prayers. Delegates preferred nondivine assistance in their arguments, citing the history of republics, liberty's relation to human nature, or various parochial interests. Bringing forth the flow of deliberations around particular words, which regularly ignited strenuous debate, on slavery in particular, the editors instill both an understanding for the Constitution's underlying compromises and an appreciation for what a vital document Madison's record is. Gilbert Taylor Copyright American Library Association. All rights reserved About the Author Edward J. Larson is Russell Professor of History and Talmadge Professor of Law at the University of Georgia. He received the 1998 Pulitzer Prize for his book *Summer for the Gods*. His most recent book is *Evolution: The Remarkable History of the Scientific Theory*, published by Modern Library. Michael Winship, a specialist in early American history, is professor of history at the University of Georgia. He is the author of numerous books and articles.