Fact sheet - Genesis of the US Constitution

- The Articles of Confederation and Perpetual Union were the first constitution of the United States of America.

In September 1786, commissioners from five states met in the Annapolis Convention to discuss adjustments to the Articles of Confederation that would improve commerce.

They invited state representatives to convene in Philadelphia to discuss improvements to the federal government. After debate, the Congress of the Confederation endorsed the plan to revise the Articles of Confederation on February 21, 1787. Twelve states, Rhode Island being the only exception, accepted this invitation and sent delegates to a convention in May 1787.

The resolution calling the Convention specified that its purpose was to propose amendments to the Articles, but through discussion and debate it became clear by mid-June that, rather than amending the existing Articles, the Convention decided to propose a rewritten Constitution. The Constitutional Convention voted to keep the debates secret, so that the delegates could speak freely. They also decided to draft a new fundamental government design. Current knowledge of the drafting and construction of the United States Constitution comes primarily from the diaries left by James Madison, who kept a complete record of the proceedings at the Constitutional Convention.

On September 17, 1787, the Constitution was completed, followed by a speech given by Benjamin Franklin, who urged unanimity, although the Convention decided that only nine states were needed to ratify it. The Convention submitted the Constitution to the Congress of the Confederation, where it received approval according to Article 13 of the Articles of Confederation.

Historical influences

- Several ideas in the Constitution were new, and a large number were drawn from the literature of republicanism in the United States, the experiences of the 13 states, and the British experience with mixed government.

- The most important influence from the European continent was from Montesquieu, who emphasized the need to have balanced forces pushing against each other to prevent tyranny. British political philosopher John Locke was a major influence, and the due process clause of the Constitution was partly based on common law stretching back to Magna Carta (1215).