

◆ ◆ THE DEBATE OVER THE U.S. ◆ ◆ CONSTITUTION IN NORTH CAROLINA

PART 3: YES, IF... THE 1788 HILLSBOROUGH CONVENTION

LEARNING OUTCOME:

Students can:

- ◆ *Describe and explain the outcome of North Carolina's 1788 Hillsborough Convention and the events that caused North Carolina to ratify the U.S. Constitution in November 1788.*

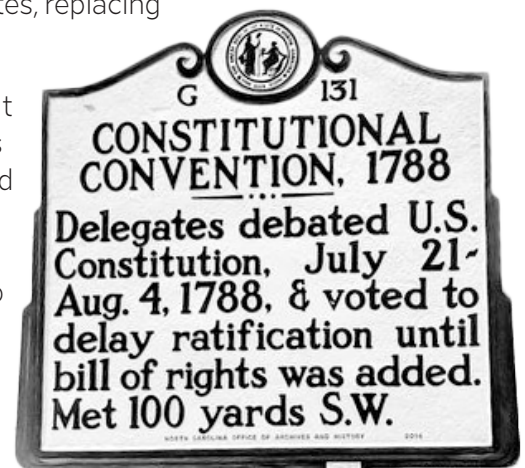
In 1787, a group of 55 leaders from throughout the United States proposed a new Constitution for the United States, which would turn the country into a federation. Under the proposed new Constitution, the U.S. government and the state governments would still share power, but the U.S. government would have more power than the states. The 55 leaders who wrote the 1787 federal Constitution did not have the authority to make it the law of the United States. They sent a copy of the document to the **General Assembly** (legislature) of each of the 13 states, which would make the final decision whether or not to **ratify** (approve) the proposed new Constitution.

Rather than voting on the document themselves, members of North Carolina's General Assembly and the legislatures of other states organized "special conventions" of local political leaders and other influential citizens from throughout each state. The representatives at North Carolina's special convention would decide whether to vote "yes" or "no" for the new national Constitution. If nine or more state conventions voted "yes" for the document, it would become the law of the United States, replacing the Articles of Confederation as the United States' national constitution.

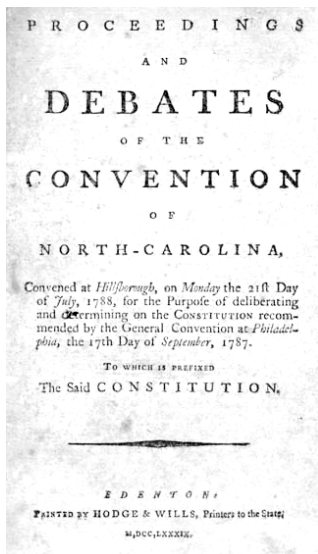
The Anti-Federalists opposed the U.S. Constitution for several reasons, but the biggest reason was because it did not include a list of individual rights that the U.S. government could not take away. In 1788, when the proposed federal Constitution was being considered in North Carolina and other states, most of the 13 states had a list of individual rights in their state constitutions. The word "bill" can mean a list, so a list of rights attached to a constitution is called a "bill of rights."

North Carolina's first state constitution, which was created in 1776, began with a guarantee that the state government would protect 25 important individual rights. This section of our first state constitution was called North Carolina's "Declaration of Rights." Among other things, it guaranteed the freedom of the **press** (the news media), the right to free assembly, the freedom of religious worship, the **right to bear arms** (the right to own a gun) for the defense of the state, and a number of rights guaranteed to anyone accused of a crime. Many North Carolinians believed that the U.S. Constitution should also have a list of rights that the new federal government could not take away.

The proposed new U.S. Constitution did not expressly guarantee most of these rights. Some of the people who argued in favor of the new Constitution (who became known as "Federalists") claimed that a representative government elected by the people would



*North
Carolina's 1788
Constitutional
Convention
Marker in
Hillsborough*



never violate any of these rights. However, the Anti-Federalists wanted these rights guaranteed on paper in the new U.S. Constitution. (Be sure to recognize that these Federalists are different from the Federalist Party that emerged in the 1790s.)

In July 1788, North Carolina held a special convention in the town of Hillsborough, North Carolina, to vote on whether or not to ratify the proposed new Constitution. The discussion and debate lasted 14 days. At the end of the Hillsborough Convention, the representatives voted neither to ratify, nor to entirely reject the 1787 federal Constitution. Their final decision was to organize another convention to reconsider the proposed new Constitution if a bill of rights was added to it. The special conventions in other states either voted yes or no for the new Constitution. North Carolina was the only state to make its acceptance of the proposed new Constitution **contingent** (dependent) on the addition of a bill of rights. Essentially, the representatives at the Hillsborough Convention were telling the leaders of the other states that if they added a bill

of rights to the proposed new Constitution, North Carolina would most likely ratify it.

On June 21, 1788, New Hampshire became the ninth state to ratify the U.S. Constitution. A few days later, Virginia and New York ratified the document. By the end of June 1788, only North Carolina and tiny Rhode Island had not yet voted in favor of the new Constitution.

The first U.S. Congress was elected from the 11 states. George Washington was chosen and inaugurated as the U.S. president by the 11 states. On June 8, 1789, James Madison introduced a list of proposed amendments to be considered by the U.S. Congress. These amendments guaranteed individual rights that the U.S. government could not take away. Together, these proposed amendments were a bill of rights. On October 2, 1789, the U.S. Congress voted in favor of this Bill of Rights and sent it to the states for ratification.



George Washington

Once the U.S. Bill of Rights had been approved by the U.S. Congress and sent to the 11 state governments for ratification, North Carolina organized a second convention in the town of Fayetteville to decide whether or not to ratify the 1787 federal Constitution. This meeting took place in November 1789. At the Fayetteville Convention, representatives from throughout North Carolina voted to ratify the U.S. Constitution. Two years later, in 1791, the Bill of Rights officially became part of the U.S. Constitution.

READING REVIEW QUESTIONS:

What was the main reason North Carolina's Anti-Federalists opposed the proposed 1787 federal Constitution?

Describe the decision of the representatives at the 1788 Hillsborough Convention. In your response, be sure to explain how this decision was unique among the special conventions that debated the 1787 federal Constitution.

Write a paragraph explaining the events that caused North Carolina to organize a second constitutional convention in 1789 and describing the outcome of this convention.
