

USA FOUNDING FATHERS (1787)



CHAIRS: LUIZ ARNS &
LEONARDO BORSA

LETTER TO DELEGATES

Greetings, dear delegates!

As the chairs of the “Founding Fathers committee” from the 2023 SMUN, we gladly welcome all of you. We hope this experience is of great enjoyment for all of us and that every participant grows with it. It is an amazing opportunity to be chairing such an interesting committee, and we hope you all are just as excited to participate in the debates as we are. Taking part in the Founding Fathers committee is a different experience for everyone, even those with a lot of experience in MUN. While debating, the delegates must understand the importance that their historical characters have to the committee, and therefore we expect you to dive into your research with passion and interest, and bring those into the committee when debating. It is also within our hope that you develop or improve certain skills throughout this conference, whether it is regarding public speaking, research, or debating.

We really look forward to seeing creative speeches and innovative solutions. As chairs, we wanted to highlight that you should not feel obligated to follow the previous path made by those who actually wrote the US Constitution. The proceedings of this committee are completely up to you. Please be reminded that we are readily available to address any inquiries you may have regarding procedures, the topic at hand, your



character's stance or any other concerns you may encounter. You can reach out to us via email or WhatsApp for prompt assistance.

Sincerely,

Luiz Arns

luiz.arns@iscbrazil.com

+55 (41) 99782-7936

Leonardo Borsa

leonardo.borsa@aluno.com.br

+55 (41) 99972-7963



PARLIAMENTARY PROCEDURE

Personal pronouns

The use of the personal pronouns is allowed, since the committee addresses an individual and not a delegation. You do not need to use the pronouns that correspond to the gender of the figure, you can match it to what the delegate prefers.

Resolution

Because this is a special committee, the resolution is slightly different in terms of format. Firstly, during the conference, delegates must refer to the resolution as the Constitution, since the goal of this special committee is to write the US Constitution. Furthermore, the Constitution must be divided in Articles, and Sections (Sections will be like sub-topics of the articles). Delegates can feel free to create as many Articles as they want, but keep in mind that the constitution needs to have Articles that cover both Topics included in this Background guide. Articles would be "general topics" and sections would be the development of those general topics.

Position Paper

Because this is a special committee, position papers are slightly different in terms of content but similar in format. Firstly, you can use personal pronouns and the first person in your text, since rather than representing a country you are representing a



person. The first paragraph is a short contextualization of the events. Rather than paraphrasing the study guide, simply retell shortly the current political tensions from your figure's point of view. Bias should be noticeable in this part. Keep in mind that the first paragraph is the least important and should not be extensive. The second paragraph gives an overview of your figure's work and their political beliefs. Here you should include what has your figure advocated for in the past, if he fought a war etc. The last and most important paragraph is about what you think that must be included in the Constitution and how this new state should be organized. Remember to have it clear whether or not the person you're representing is a federalist or not.



COMMITTEE DESCRIPTION

The Founding Fathers Committee is an environment where delegates will impersonate important characters from the U.S.A. history, and simulate great actions from such historical figures. The committee took place in 1787 during the Philadelphia Convention and had the participation of 55 delegates. The Philadelphia Convention approached the economic and social weaknesses of the American Confederation. Such problems were dealt with by three main initiatives, “The Virginia Plan”, “ The New Jersey Plan”, and “The Great Compromise”.

All of these and many others were encompassed on September 17, 1787, by the United States of America Constitution. This committee is intended to pass through these processes of reflection and debates in order to create a document with similar integrity of the U.S. original Constitution.

During theme 1, you will see that we are discussing a lot of enlightenment ideas that, at that time, have never been applied before. We, as chairs, ask you to dive into this committee with an open mind. For us, who already live under a democratic system with rules defined by the constitution, it is easy to think about how a state is structured, at that time it wasn't. The US Constitution is one of the oldest constitutions in the world. In this committee, delegates have total freedom to innovate and maybe develop a better system of government that has never been seen before. Please just keep in mind the enlightenment ideas presented to you in the historical background of theme 1.



CURRENT SITUATION

During the time when the U.S. Constitution was being written in 1787, the United States was facing numerous challenges in the aftermath of the Revolutionary War. Under the Articles of Confederation, which served as the nation's first attempt at a governing document, the central government was intentionally weak, reflecting the deep-seated fear of centralized authority that had motivated the colonists to break free from British rule.

However, this structure soon revealed its limitations. The federal government lacked the power to levy taxes directly, relying on voluntary contributions from the states, which were often insufficient to meet the nation's financial needs. The resulting economic hardships, coupled with the heavy war debts accumulated during the Revolutionary War, threatened the stability of the young nation.

Moreover, without the ability to regulate trade or establish a common currency, each state could pursue its economic interests, leading to confusion and conflicts in commercial dealings between states. This lack of a unified economic policy undermined the potential for growth and prosperity, hindering interstate commerce and creating barriers to economic development.

Internationally, the United States faced significant challenges in asserting itself as a sovereign nation. The weak central government could not negotiate treaties with foreign powers effectively, and there was no centralized foreign policy to guide the young country's interactions with the rest of the world. Consequently, the United States



struggled to secure favorable trade agreements and protect its interests on the global stage, leaving it vulnerable to manipulation by more powerful nations.

The mounting concerns over the inefficiencies and vulnerabilities of the Articles of Confederation prompted the states to convene a Constitutional Convention in Philadelphia. The delegates recognized the urgent need to address the shortcomings of the existing system and create a stronger, more cohesive government capable of fostering unity, economic growth, and securing the nation's future.

At the Constitutional Convention, your job as delegates is to strike a balance between granting the federal government sufficient powers to address the nation's challenges while preserving the rights and autonomy of the individual states and their citizens. The framers of the Constitution were deeply influenced by Enlightenment principles that were being discussed during that period of time.



TIMELINE OF EVENTS

1215 - Often considered a foundational document for constitutionalism, the Magna Carta established the principle that the king was not above the law and that certain rights and liberties should be protected. The concepts inside the Magna Carta built a base of principles in which the founding fathers would base themselves to write the Constitution.

1689 - English Bill of Rights: After the Revolution, the English Bill of Rights further limited the powers of the monarchy, established the supremacy of Parliament, and protected individual rights. The English Bill of Rights influenced the U.S. by declaring as Hobbes, and Montesquieu contributed ideas that influenced the Founding Fathers' understanding of government and individual liberties. set of pre-established, individual rights, insulated from government power

17th and 18th Centuries - Enlightenment: Philosophical movement emphasizing reason, individual rights, and the social contract theory. Thinkers like John Locke.

1754 to 1763 - French and Indian War: This conflict between Britain and France over North American territories left Britain in debt. To recoup costs, Britain imposed various taxes and policies on the American colonies, leading to growing discontent and protests.



1765 - Stamp Act: One of the taxes imposed by Britain on the American colonies, requiring printed materials to bear a revenue stamp. This sparked protests and resistance, with the famous phrase "No taxation without representation" becoming a rallying cry.

1773 - Boston Tea Party: In response to the Tea Act, which granted the British East India Company a monopoly on tea in the colonies, colonists boarded British ships and dumped tea into Boston Harbor as a protest against taxation.

1774 - First Continental Congress: Representatives from twelve colonies gathered to discuss grievances against British policies and assert their rights. They called for a boycott of British goods.

1776 - Declaration of Independence: Thomas Jefferson drafted the Declaration of Independence, which proclaimed the colonies' separation from Britain and articulated the principles of natural rights and the right to self-government.

1777 to 1781 - Articles of Confederation: The first document of the United States, creating a loose confederation of states. However, it proved ineffective in establishing a strong central government and addressing various problems.



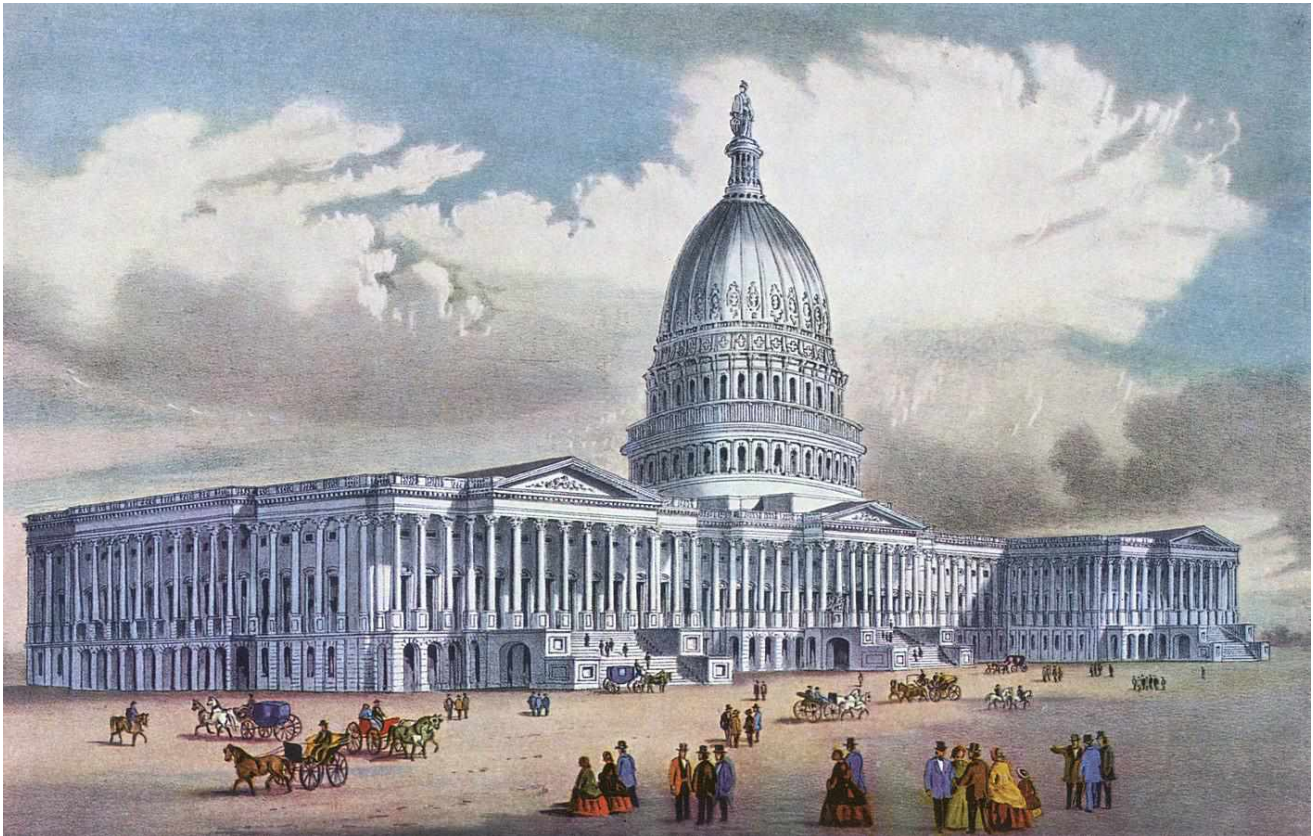
1786 to 1787 - Shay's Rebellion: An armed uprising of farmers in Massachusetts, led by Daniel Shays, against economic hardships and the state's aggressive tax policies. This highlighted the weaknesses of the Articles of Confederation and the need for a more powerful central government.

1786 - Annapolis Convention: Only five states attended this gathering, but it called for a meeting in Philadelphia the following year to revise the Articles of Confederation.

TODAY: Constitutional Convention Fifty-five delegates from twelve states (excluding Rhode Island) gathered in Philadelphia to revise the Articles of Confederation but eventually decided to create a new Constitution.



TOPIC A: THE STRUCTURE OF THE FEDERAL GOVERNMENT



Historical background

For this background, delegates should not consider only the historical background of events happening in the United States, but yet the worldwide changes that were happening. It was a time of revolutionary ideas all over the world, especially when talking about democracy, and those ideals would shape the opinions of the founding fathers. The ideas of Enlightenment philosophers had a profound impact on the intellectual and political landscape of the United States. The principles created by thinkers like John Locke, Montesquieu, and Voltaire were widely spread and must be carefully considered



by delegates to write this constitution. The echoes of these ideas were felt throughout the nation, shaping public opinion and influencing the way people perceived their rights and the role of government. It was a time of great changes.

One of the central creeds of Enlightenment was the belief in natural rights, which insisted that all individuals possess "inherent and inalienable" rights to life, liberty, and property. This concept resonated deeply with Americans who had recently fought for their independence from British rule. The idea that the government should protect these natural rights rather than interfere upon them formed the foundation for a new US.

Moreover, Enlightenment philosophers advocated for the separation of powers within a government to prevent tyranny and the abuse of authority. They talked about a system of checks and balances among the three branches of government – the legislative, executive, and judicial branches. This framework aimed to ensure that no single branch could gain too much power and become despotic, aligning with the principles laid out by philosophers like Montesquieu. Keep in mind that those were basically new ideas, and had never been actually applied before.

Freedom of thought and expression were also championed by Enlightenment thinkers. The First Amendment to the U.S. Constitution, ratified in 1791 as part of the Bill of Rights, protected these fundamental freedoms, allowing citizens to voice their opinions, practice their chosen religions, and assemble peacefully. The establishment of this constitutional safeguard reinforced the perception that the new nation was founded on Enlightenment principles, promoting a sense of identity and purpose among Americans.



In 1787, the ideas of Enlightenment philosophers were widely perceived and appreciated in the United States, shaping the nation's foundational documents and inspiring the pursuit of liberty, equality, and justice for all. The impact of these ideas reverberated far beyond the 18th century, influencing the course of American history and guiding the nation's ongoing quest to live up to the ideals set forth by Enlightenment thinkers.

Guiding questions

How would the voting system work?

How would amendments to this constitution work (in terms of the democratic operation of the country)?

How would the separation of powers work?

What powers would the president have?

What powers would the Congress have?

What powers would the judiciary have?

Would there be a supreme court?

What will be the overall principles of the constitution and the US democracy?



TOPIC B: SOCIAL AND ECONOMIC MATTERS



Historical background

In the XVIII century, the U.S.A. had a very polarized scenario due to its foundation and economic structure. Characteristics of these included a divided government with a strong cultural variation between states (Most of these would later result in the American Civil War). Such will be approached in the following part of this document. The U.S.A. at the time was a confederation composed of 13 states, which had the autonomy to operate



independently of the rest. These states should operate under the rules of the “Confederation Article”. However, this political model had many problems of great concern to several politicians of the time. To solve such problems the “Constitutional Convention”, was called, attending delegates from most states. During the convention, it became clear to most delegates that a federation could solve most of the problems. From this point on, the Convention divided itself, and the result of various debates was the 1787 Constitution.

The economy of the 13 states

At the time of 1787 the 13 states had a complex system of economic trades between themselves and such matters shall be taken into account when discussing the matters of federalism. The confederation was based on the idea of economic autonomy and a liberal market, meaning that each state produced its goods and services based purely on demand and necessity. The major problem with such is the surplus of certain goods and the low efficiency the lack of communication between states creates. This model also increased inequality and strengthened slavery, due to the unregulated means of production and the poorly distributed capital of investments.

The Federalists proposed that the unified government should regulate and coordinate economic activities so that states would cooperate to increase productivity. This idea has many benefits such as worker force alignment with civil rights, better income distribution, and better long-term economic development.



Creating the "American Identity"



The American Identity was an Idea of great importance to the Federalists who wanted to unite all the states upon one single flag. The USA was divided into 13 states with the autonomy to operate freely within their borders. Such autonomy lead to cultural conflicts between states, harming economic cooperation, infrastructure development and furtherly diminishing the well-being of citizens. Laws would also vary between states, once more harming the overall

cooperation within the Confederation.

For such matters, the Federalists have strained to build a national identity that all states could identify. All states would be part of the "United States of America", therefore uniting upon one flag. This initiative would enable the common government to operate the 13 states as a unit, improving the economy based on each state's features and geographical conditions. Each member of the Federation still had the autonomy to make their own laws, but such should be based on the "10 Amendments". The 10 Amendments were responsible for settling common civil rights and diminishing cultural conflicts between states.



The 10 Amendments

Amendment I – Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press, or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.

Amendment II – A well-regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms, shall not be infringed.

Amendment III – No Soldier shall, in time of peace, be quartered in any house, without the consent of the Owner, nor in time of war, but in a manner to be prescribed by law.

Amendment IV – The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated. ...

Amendment V – No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a Grand Jury ... nor shall any person be subject for the same offense to be twice put in jeopardy of life or limb; nor shall be compelled in any criminal case to be a witness against himself, nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use, without just compensation.

Amendment VI – In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the State and district wherein the crime shall have been committed, which district shall have been previously ascertained by law, and to be informed of the nature and cause of



the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor, and to have the Assistance of Counsel for his defense.

Amendment VII – In Suits at common law, where the value in controversy shall exceed twenty dollars, the right of trial by jury shall be preserved. ...

Amendment VIII – Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted.

Amendment IX – The enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people.

Amendment X – The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.”

The 10 Amendments settled common civil rights that all states should follow. The amendments were made following concepts of institutional and individual freedom, and all citizens had these granted according to the Constitution. The 10 Amendments are the Key concepts that structure all the Federalist's ideas and initiatives.

Observation: The following subtopics contemplate how some important themes are addressed in the 10 Amendments. However, the same themes shall be discussed on the committee, thus changing the content of the Amendments. The following shall serve as examples and support your research.

The Constitution about Slavery

Most delegates participating in the Philadelphia Convention owned slaves, including the Federalists. However, the 1787 Constitution does mention that it is against



the common law to hold an individual into labor against their will regardless of the state's laws. Important to mention that this part of the Constitution does not mention "Slaves", which are addressed in other "founding documents", as a specific "working class". Still, the Three-fifths clause mentions slaves "for the purposes of apportioning seats in the House of Representatives and levying certain types of taxes", which grants slaves some constitutional powers.

Observation: This theme has been in discussion for more than one Century. Many claimed that slaves were still citizens due to the Ninth Amendment. Others claimed that slavery was addressed differently than work in other documents so it was legal and constitutional. Many parts of the Constitution are incoherent about this theme, therefore its implications are contradictory.

The constitution about Fire Weapons

The Second Amendment, covers the idea that the citizen may have the tools necessary for individual protection and that such right shall not be taken away. This Amendment was made to prevent tyranny, Individual self-defense, the right to hunt and provide for families, and to state militias. This Amendment has been written based on a series of ideas derived from principles of individualism, which were sustained by both federalists and anti-federalists. However, the individual opinion of delegates from both sides may vary.

The Constitution about freedom of speech and faith.

The First Amendment is clear about freedom of speech and defends the freedom of all citizens to exert their religion and assemble to express their ideas. No law of any



state may say the opposite. Freedom of speech is also supported by both federalists and anti-federalists. This is an undeniable right that is the basis for the other Amendments.

Guiding questions

- Shall citizens possess fire weapons? If yes, what are the boundaries to the usage of fire weapons?
- Would there be any restriction to the freedom of speech?
- To which circumstances, slaves can become citizens?
- Which laws cannot be created by states?
- Can a criminal be arrested for committing crimes in different states?



Position of major blocs

FEDERALISTS

The Federalists, led by influential figures such as Alexander Hamilton, James Madison, John Jay, and Thomas Jefferson, were staunch supporters of a powerful central government. They believed that a strong federal institution was essential to ensuring the stability, prosperity and sovereignty of a young nation.

One of the Federalists' main arguments was the need for a strong federal government to address the weaknesses of the Articles of Confederation. According to the article, the central government had limited powers and could not effectively deal with important issues such as raising revenue, regulating trade and conducting diplomacy. As a result, the country faced economic difficulties and lacked a unified voice on the international stage. The Federalist Party favored a separation of powers system inspired by Enlightenment thinkers like Montesquieu to prevent a single government department from accumulating excessive power. They believed this approach would maintain a harmonious balance between the legislative, executive and judicial branches and promote efficient and responsible government operations.

Further, federalists stressed the need for domestic law to take precedence over state law. They argued that unity in certain areas, such as trade and taxes, was necessary to ensure national cohesion and prosperity. This idea was central to their vision of a strong, united America. Ratification of the proposed US Constitution was an important goal for the Federalists. They saw a constitution as the path to a more complete union that could



address the country's weaknesses and secure its future. To achieve this, the Federalist Party launched a coordinated campaign, producing a series of influential papers known as the "Federalist Papers" to persuade the public and state legislatures to support the new constitution.

Federalists were in favor that all recognized citizens should have absolute freedom of speech, claiming such was an act of democracy and necessary to keep and maintain a transparent government. In regard to economic matters, the Federalists had the idea of an unified government that could coordinate economic activities that would allow states to cooperate to increase productivity. They defended this idea by presenting its benefits such as worker force alignment with civil rights, better income distribution, and better long-term economic development. The Federalist model would also contribute further in history to the end of Slavery in the U.S.A.

ANTI-FEDERALISTS

The anti-Federalists, led by such prominent figures as Patrick Henry, Samuel Adams, and Richard Henry Lee, expressed deep concern for the powerful central government. They feared that such a government would lead to tyranny and deprive individual nations and citizens of their rights and autonomy.

For anti-federalists, defending state rights and sovereignty was paramount. They advocated a more decentralized system in which states retain considerable power to self-govern based on their circumstances and needs. They believed that local governments closer to people could better serve the needs of their communities.



Another major concern of anti-federalists was the lack of a Bill of Rights in the proposed constitution. They argued that the federal government could violate the rights of its citizens if it did not explicitly protect individual liberties. Ultimately, in response to these concerns, the Federalists agreed to include a Bill of Rights to supplement the Constitution after it was ratified.

In conclusion, the Federalists advocated a strong federal government with broad powers, emphasizing the need for unity, stability, and national authority. Conversely, anti-federalists defended state rights, feared an overwhelming central government, and called for stronger protections for individual liberties. The final compromise resulted in the creation of a system of government that survives to this day, a testament to the wisdom and foresight of the Founding Fathers and their commitment to a more perfect union.

The Confederates were also in favor of freedom of speech and various ideas; however, they were afraid that a federation would limit the autonomy of each state. They believed their economic model should develop under the ideas of self-sustaining states. Those for instance would trade between themselves and furtherly improve their economic system through necessity and demand. However such policies had disadvantages such as increasing slavery and decreasing social support, as a consequence elevating inequality. and that all states should follow some guidelines. Their Ideas were completely in favor of freedom of speech and the new American citizen would possess his undeniable right to exert such freedom in all states. The anti-federalists supported the basis for the confederation economic model, which



consisted of a complex system of economic trades between themselves, in which their individual productions were based on demand and necessity. For this reason, even recognizing the economic advantages of a federation many states were skeptical in relation to this model since this would take out much of their autonomy.

Suggested Further Research

https://en.wikipedia.org/wiki/Territorial_evolution_of_the_United_States#/media/File:United_States_Central_change_1787-08-09.png

<https://cz.usembassy.gov/our-relationship/policy-history/usa-and-human-rights/>

[https://en.wikipedia.org/wiki/Connecticut_Compromise#:~:text=The%20Connecticut%20Compromise%20\(also%20known,under%20the%20United%20States%20Constitution.](https://en.wikipedia.org/wiki/Connecticut_Compromise#:~:text=The%20Connecticut%20Compromise%20(also%20known,under%20the%20United%20States%20Constitution.)

<https://constitutioncenter.org/the-constitution/white-papers/the-constitutional-convention-of-1787-a-revolution-in-government>

<https://www.loc.gov/collections/century-of-lawmaking/articles-and-essays/>

<https://guides.loc.gov/bill-of-rights>

<https://guides.loc.gov/federalist-papers/full-text>

<https://www.whitehouse.gov/about-the-white-house/our-government/the-constitution/>

Relevant Documents

The United States of America Constitution (07/09/1787) - Philadelphia Convention;

Declaration of Independence - U.S.A. (04/06/1776) – Second Continental Congress;



Bill of Rights - U.S.A. (23/09/1789) – First Federal Congress of the United States; (Use this as a reference, it can't be cited considering that it was published afterwards)

About Pre-Federal State Constitutions and democratic organization (Use this as a reference)

About The spirit of the Laws - Montesquieu



Bibliography

<https://cz.usembassy.gov/our-relationship/policy-history/usa-and-human-rights/>. Accessed 30 07 2023.

[https://homework.study.com/explanation/how-many-states-were-there-in-the-united-states-in-1787.html#:~:text=There%20were%20technically%20only%20three,\(December%2018%2C%201787\)](https://homework.study.com/explanation/how-many-states-were-there-in-the-united-states-in-1787.html#:~:text=There%20were%20technically%20only%20three,(December%2018%2C%201787).). Accessed 30 07 2023.

<https://constitutioncenter.org/the-constitution/white-papers/the-constitutional-convention-of-1787-a-revolution-in-government>. Accessed 30 07 2023.

<https://www.whitehouse.gov/about-the-white-house/our-government/the-constitution/>. Accessed 30 07 2023.

<https://www.youtube.com/watch?v=d3-MymE33ew>. Accessed 30 07 2023.

<https://www.congress.gov/founding-documents>. Accessed 30 07 2023.

<https://guides.loc.gov/declaration-of-independence>. Accessed 30 07 2023.

<https://guides.loc.gov/bill-of-rights>. Accessed 30 07 2023.

<https://guides.loc.gov/bill-of-rights>. Accessed 30 07 2023.

<https://guides.loc.gov/federalist-papers/full-text>. Accessed 30 07 2023.

<https://www.loc.gov/collections/century-of-lawmaking/articles-and-essays/>. Accessed 30 07 2023.

https://en.wikipedia.org/wiki/Territorial_evolution_of_the_United_States#/media/File:United_States_Central_change_1787-08-09.png

<https://cz.usembassy.gov/our-relationship/policy-history/usa-and-human-rights/>



[https://en.wikipedia.org/wiki/Connecticut_Compromise#:~:text=The%20Connecticut%20Compromise%20\(also%20known,under%20the%20United%20States%20Constitution.](https://en.wikipedia.org/wiki/Connecticut_Compromise#:~:text=The%20Connecticut%20Compromise%20(also%20known,under%20the%20United%20States%20Constitution.)

<https://constitutioncenter.org/the-constitution/white-papers/the-constitutional-convention-of-1787-a-revolution-in-government>

<https://www.loc.gov/collections/century-of-lawmaking/articles-and-essays/>

<https://guides.loc.gov/bill-of-rights>

<https://guides.loc.gov/federalist-papers/full-text>

<https://www.whitehouse.gov/about-the-white-house/our-government/the-constitution/>

