

The Constitutional Convention



The Constitutional Convention of 1787

- Convention in Philadelphia in 1787
- Originally, these men came together to REWRITE the Articles of Confederation.
- After much debate, they ended up trashing the Articles and writing an entirely new document: OUR UNITED STATES CONSTITUTION.

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- Twelve states sent delegates to the Constitutional Convention at Philadelphia in 1787. Only Rhode Island refused to attend.
 - The 55 delegates to the Constitutional Convention became known as our Founding Fathers.

Shhhhhh!!!!

- The delegates to the convention didn't want to be pressured by the politics of the day.
- They posted guards at the doors and kept the windows closed and locked to keep people from spying on the meetings and spreading news of what was going on.

- On May 29, 1787, the delegates to the Constitutional Convention got down to the business of forming a new government.



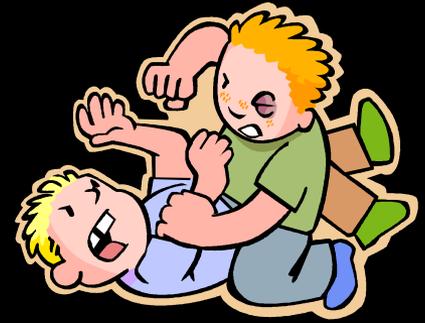
- The challenge to our Founding Fathers was to set up a **STRONG** but **LIMITED** national government: Strong enough to keep the country together, but not so strong as to become oppressive like the kings in England.

The Virginia Plan

- Edmund Randolph of Virginia proposed the Virginia Plan:
 - The government would have 3 branches
 - A legislature to make the laws
 - An executive branch to enforce the laws
 - And a judicial branch to interpret the laws

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- Under the Virginia Plan, each state would have representatives in the legislature according to the population of that state. For example, heavily populated states, like Virginia, would have more representatives than small states like Connecticut.

The New Jersey Plan



- Small states didn't like the idea of the bigger states having more of a voice in the government.
- William Paterson presented an alternative plan called the New Jersey Plan
- Under the New Jersey Plan, each state would have an EQUAL number of representatives in the legislature no matter how big or small the state.

The Great Compromise



- To keep both the big and small states happy, the delegates came up with a compromise.
- The legislative branch would have 2 houses or be **bicameral** but representation would be different in each house.
 - The Senate would have 2 representative from each state
 - The House of Representatives would have representation based on state population.

The Great Compromise

Virginia Plan

The legislative branch would have two houses.

Both Houses would have representation based on state population

New Jersey Plan

The Legislative branch would have one house.

Each state would have one vote in the legislature

The Great Compromise

The Senate would give each state equal representation

The legislature would be bicameral – have two houses

The House of Representatives would have representation according to state population

The Great Compromise Simplified

Legislative Branch

Senate

House of
Representatives

Equal
Representation
2 Senators from
each State

Representation
Based on
population

The Slave Trade Compromise

The North worried that the South could control Congress simply by importing more slaves

A limit on the importation of Slaves was agreed upon

Slaves could be imported only until 1808

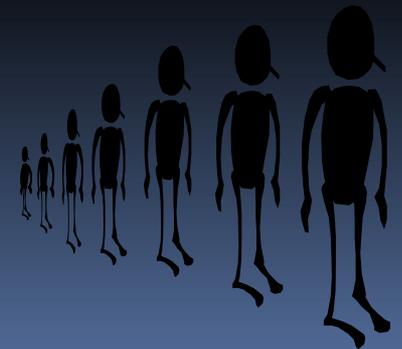


Each imported slave would have a \$10.00 tax levied upon the transaction

In exchange for the delay in ending the import of slaves the South agreed to let the national government regulate slave trade.

Slavery and the Constitution

- Because representation in the House of Representatives would be based on population, the delegates had to decide who would be counted in that population.



- The Southern states wanted to count slaves as citizens for the purpose of REPRESENTATION only.



- In other words, slaves would have no rights guaranteed by the government, BUT they would count for the purpose of having more representatives in the house for the Southern states.
- HMMMM!!!! Does that sound fair?

- Of course, the states that didn't have large slave populations disagreed with counting slaves for representation in the House.



The Three – Fifths Compromise

- Once again, the delegates compromised. They agreed to allow the slave states to count $3/5^{\text{ths}}$ of their slaves for representation in the house, BUT, those states would also pay federal taxes on population counting $3/5^{\text{ths}}$ of the slaves.



Southern States:

- ▶ Wanted slaves counted as population to determine representation in the House of Reps.
- ▶ Opposed counting slaves for the purpose of determining taxation

v.

Northern States:

- ▶ Opposed counting slaves as population to determine representation in the House of Reps.
- ▶ Favored counting slaves for the purpose of determining taxation

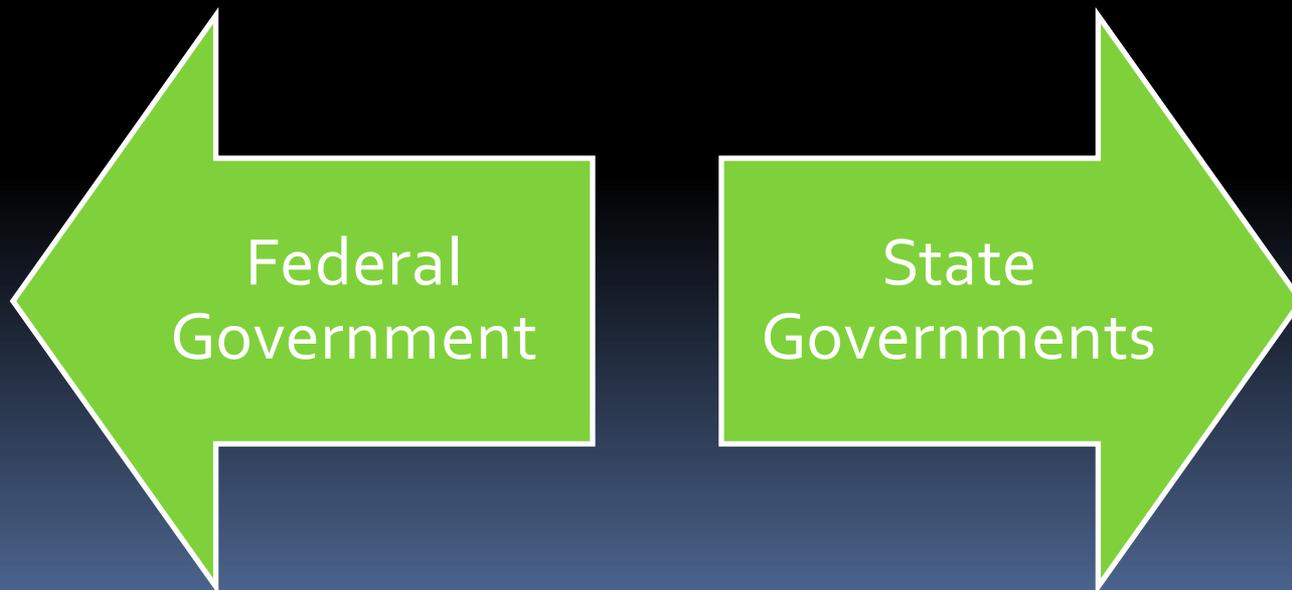
THE 3/5th COMPROMISE:

- 3/5th of slaves counted as population in determining representation to the House of Representatives
- 3/5th of slaves would be counted for the purpose of determining taxation

|| Federalists and Anti -federalists

- Once the Constitution was written, it had to be ratified – or agreed to by the states.
- Those people in favor of the Constitution were called FEDERALISTS.
- Those people opposed to the Constitution were called ANTI-FEDERALISTS.

- Federalism is a system of government in which power is shared between the central or (federal) government and the state governments.



- **Federalists** were in favor of making the Central or Federal government stronger than the state governments.

Federal grants and other monies given to the states usually come with strings attached.

From The Herblock Book (Beacon Press, 1952).



- **Anti-federalists** thought the Constitution took too much power away from state governments and did not guarantee rights of the people.
- They were afraid that the federal (or central) government would become too powerful and begin to treat the people the way the Kings in Europe had treated them.



Federalists

Supported removing some powers from the states and giving more powers to the National Government

Favored dividing powers among different branches of government

Proposed a single person to lead the Executive Branch

Anti-federalists

Wanted important political powers to remain with the states

Wanted the Legislative Branch to have more power than the Executive Branch

Feared that a strong executive might become a king or a tyrant

Believed a Bill of Rights needed to be added to the Constitution to protect people's rights

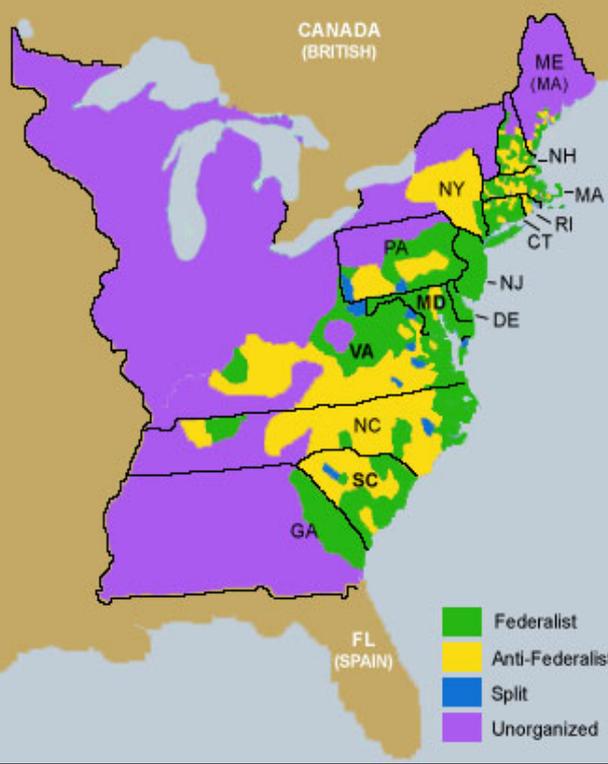


The Federalist Papers

- Three well known politicians wrote The Federalist Papers and had them printed in New York newspapers.
- The Federalist papers argued in favor of ratifying the Constitution.



John Jay, Alexander Hamilton, and James Madison wrote the Federalist Papers.



The Nation was divided between the Federalists and the Anti – federalists.

The Federalists outnumbered the Anti-federalists. By June of 1788, nine of the thirteen states had agreed to ratify the Constitution.

However, Virginia and New York, two very strong and influential states, had not yet agreed.

Even without these two states, the Constitution could become law because it only required nine of the thirteen states to agree.

The Founding Fathers didn't want the country to be divided.

So, they agreed to add a Bill of Rights to the Constitution. This convinced Virginia and New York to agree to ratification. Finally, by 1790, North Carolina and Rhode Island joined the other states and everyone was in agreement.

<http://www.quia.com/cm/75936.html>

The Bill of Rights

- James Madison drafted the Bill of Rights and sent these ten amendments to the Constitution to the states for ratification.
- In 1791 these rights became law.

