





# The Constitutional Convention

## Background

The United States ratified a constitution (document spelling out the basics of government) entitled the Articles of Confederation (1781). It provided basic powers to the national government but left much power to the states.

Problems soon arose. The first constitution did not give Congress the power to tax. Attempts to amend the Articles to provide a steady means of revenue were blocked because unanimous agreement of the states were required. There was no separate executive or judicial department. Domestic unrest such as the Shay's Rebellion (over debt relief) and concern about foreign powers at their borders as well as Native Americans also suggested a need for a stronger central government. And, there was also interstate conflict arising from trade wars and other matters.

This led to a convention in Philadelphia (May 1787) with George Washington presiding to discuss the matter. In the end, a whole new constitution would result.

## Great Compromise

There was a general agreement among the delegates at the constitutional convention that changes had to be made, but disagreement on the details. The different states had a variety of interests that were in conflict, such as states with small populations vs. those with large populations. Also, the delegates had different views of how the government should be set up. A person like Alexander Hamilton supported a significantly stronger central government than many did. And, there was also a range of ideas about such things as how widely the people should have the right to vote.

The main split that developed was between small and large states. The small states got behind the "New Jersey Plan" which gave each state one vote in Congress. The larger states got behind the "Virginia Plan," supported by James Madison, which provided for a Congress with two branches, chosen based on population. The plan as a whole was a more comprehensive change from the Articles of Confederation than the New Jersey version. But, there was some overlap, including a Congress with a greater power to tax. So, compromise seemed possible.



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The result was the "Connecticut Compromise" also known as the "Great Compromise." The key decision was to have one branch of Congress (House of Representatives) chosen by population while another (Senate) was chosen by state legislatures, each state having two senators. Vote in each branch was by individuals, not states. Also, separate executive (President) and judicial (courts) branches were set up, providing a more powerful central government. Also, multiple means to advance interstate unity, including limits on trade wars between the states, were added. And, only nine states were needed to ratify the new constitution. Less states also were necessary to amend (change) the proposed constitution as well.

## Slavery

Many states, especially in the South, had slaves. A new constitution would in some fashion have to address this fact and for the time being at least slavery would still exist. It was a basic example that the government is imperfect, including denying basic rights. The whole matter was touchy, however, and euphemisms were used instead of the word "slave" or "slavery." The evils of slavery already were apparent.

First, it was determined that the slave population would not be counted the same way to determine state representation in the House of Representatives. Five slaves would be counted as three free persons (Three-Fifths Compromise). Slaves were members of the population but not of the political community in general. Second, for twenty years, the international slave trade would be allowed for the then existing states. And, if a slave fled from slavery, a state would have the obligation to return them to their owner.

## Aftermath

Special conventions were set-up in each state to debate the proposed constitution. "Federalists" supported ratification while "anti-federalists" did not. Some states quickly ratified. Others were more split, including wanting more protection of individual rights. A set of influential essays known as the "Federalist Papers" were written in support of the Constitution. The Constitution was ratified in 1788 though North Carolina (1789) and Rhode Island (1790) did so later. The new government under it first met in early 1789.

