

The Constitutional Convention



The Constitutional Convention, 1787

I. The Setting of the Philadelphia Convention

- A) Early decision to re-write, rather than tinker with the Articles of Confederation
- B) Open agreement secretly arrived at--Washington's plea
- C) Intent of the Convention
 - 1) Economic --Charles Beard--protect property rights and make America safe for democracy.
 - 2) Idealistic--make a perfect Union
 - 3) Pragmatic--dealing with the question of sovereignty. Placing common interests over regional or personal concerns.

II. The Participants

- A. 55 delegates from 12 states
 - 1) Young (average age 42), professional (over half were lawyers), men of economic substance
 - 2) Many were Revolutionary War veterans
 - 3) Absent: Thomas Jefferson, Patrick Henry, other Revolutionary War heroes.

B. Key Participants

- 1) Washington--president of the convention
- 2) Madison--researched every previous republic
 - a) Large republic is not only possible, it's preferred
 - b) Popularly elected officials with sovereignty in the hands of the people, not the states
- 3) Franklin--81 years old. The steadying influence

III. The Compromises

A. Great Compromise (bicameral legislature representing both people and states)

1. Virginia Plan or Large States Plan(Edmund Randolph)
 - a) 2 house legislature with representation based on population for both
 - b) President and courts chosen by legislature
2. New Jersey Plan (William Patterson)
 - a) Congress with each state having 1 vote
 - b) separate executive and judicial branches
 - c) increased powers of Congress
3. Great Compromise
 - a) Lower house membership dependent on population
 - b) Upper house with two members from each state
 - c) All revenue bills must begin in lower house

B. Three-Fifths Compromise (60% of slaves counted for representation and taxation; no Congressional interference with slavery for 20 years)

1. Non-slavery states wanted slaves counted for taxation, but not representation and wanted an end to importation of slaves
2. Slave states wanted slaves counted for representation, but not taxation and no interference with slave trade by the federal government

C. Commerce Compromise (no tax on exports, simple majority needed to pass commerce bills)

1. Cotton and tobacco producing states wanted restriction of taxes on exports and all commerce bills to be passed by a two-thirds vote of Congress

2. Northern industrial states wanted federal tariffs to keep up out cheaper European products and raise revenues for the government.

IV. Ratification

A. Because of fear of opposition from states, only 9 of the 13 were needed for the Constitution to take effect

B. Because of opposition from state legislatures, conventions elected by the people were given authority to approve or reject Constitution.

C. Federalists vs. Antifederalists

1) Most Federalists were wealthy and well-educated and sought the creation of a more powerful central government

2) Most Antifederalists were farmers who were loyal primarily to their state governments

a) Feared taxation power of federal government

b) Republican government could not rule a large nation

D. Federalist Papers--most influential political literature of the time

1) Argued that limitations on governmental power were built into the Constitution

2) Need for strength to earn respect abroad

E. Promise of Bill of Rights added to the Constitution helped persuade opponents to ratify it.