



# The Constitution

*We the People*

# The Beginnings of a New American Government

- ***Dissatisfaction grew with the Articles of Confederation as disagreements over control of waterways and trade developed.***
- In 1785 the first meeting to discuss the problems with the Articles took place at George Washington's estate Mount Vernon.
- Another meeting took place the following year in Annapolis.
- In 1787 a ***rebellion over high taxes imposed to pay Revolutionary War debt took place in Massachusetts.*** Veteran and farmer Daniel Shay led the rebellion against the high taxes which they could not pay. ***Shay's Rebellion highlighted the weaknesses of the Articles.***
  - Massachusetts was unable to put it down and asked Congress for help
  - Congress asked the other states for troops but none were willing to send any because they would have to raise taxes
  - Congress did not have the power to raise taxes itself to pay the war debt or for soldiers to put down the rebellion

# CONSTITUTIONAL CONVENTION

## MAY, 1787-SEPTEMBER, 1787

- **Main purpose:**
  - *To remodel the Articles of Confederation* and consider the situation of the United States of America.
- **Delegates who attended:**
  - The *majority were lawyers who were conservative men of property and business class*, they were men who had the distinction of having served the country before.
  - They were *men who wanted a stable and stronger central government.*
  - The radicals like Patrick Henry of Virginia, who refused to attend, Samuel Adams of Massachusetts, was not selected as a delegate, and Thomas Paine, who was out of the country.
  - Others not present from the population were small farmers, mechanics, frontiersmen, and frontier farmers.

# The Structure of American Government

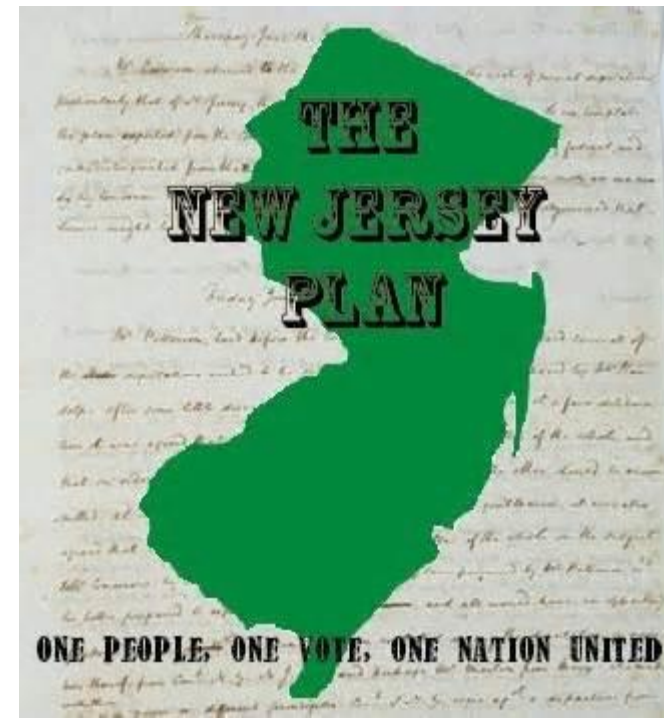
- ***Weaknesses of the Articles of Confederation:***
  - Lack of an Executive and a Judiciary Branch ***caused law enforcement and judiciary decisions to be placed in the hands of the states.***
  - Tax difficulties- lacking the power to tax Congress had to obtain funds from the states as contributors. From 1781-1789, ***Congress got only 1/5 of what it needed from the states.*** Because of this ***Congress could not form an army or navy but had to depend on the state militia for defense.***
  - Lack of control over trade- ***Congress did not have the power to regulate interstate commerce and foreign trade.*** It could make commercial treaties but not enforce them. It could not levy any taxes on imports or exports.

# Areas of Agreement

- ***Scrap the Articles of Confederation*** and draw up a new system of government
- A ***republican form of government*** with a chief executive chosen by the people (popular sovereignty)
- ***Property rights and the minorities rights protected***
- A ***strong central government*** with the power to tax, regulate interstate and foreign commerce
- ***Divide the powers between the national and the state governments*** (Division of Powers).
- A ***three-branch government that could check and balance each other branch*** constantly.

# Areas of Difference

- Political differences such as slavery and the New Jersey Plan and the Virginia Plan
- Economic differences on things such as tariffs, commerce, & slave trade



# New Jersey Plan vs. Virginia Plan

## New Jersey Plan

- *Three-branch government with a unicameral legislature*
- Legislature *members would represent states equally*
- *Legislative branch would elect an executive, who would then appoint the Judiciary*

## Virginia Plan

- *Three-branch government with a bicameral legislature*
- Lower house *members would be chosen by the qualified voters* of each state
- Lower house member *numbers would be based on each states population*

# The Great Compromise

- Also known as the Connecticut Plan
- ***Representation in lower house of the legislature based on population in each state.*** (satisfied large states)
- ***Representation in the upper house of the legislature to be equal for each state.*** (satisfied the small states)
- ***Lower house would initiate all tax and appropriation bills with members having two-year terms***
- ***Upper house would have two members from each state elected by the state legislatures for six-year terms.*** A third elected every two years.



# Slavery - 3/5 Compromise

- South-wanted all their slaves counted for the purpose of representation in the House of Representatives, but not counted for purposes of taxation by the national government.
- North-wanted all slaves counted for the purposes of taxation but not counted for purposes of representation in the House of Representatives.
- Compromise-Three of every five slaves would be counted for both population and taxation.
  - A census of the population in each state would be conducted every ten years by the national government to ascertain each states population.

# Slavery - Trade Compromise

- The slave states did not want the national government to interfere with the trade in slaves from the West Indies and Africa.
- The non-slave states disagreed with the concept of holding a person in bondage for life and therefore wished to end the practice.

## Compromise:

- To satisfy the slave states *trade in slaves was not to be interfered with for twenty years after the Constitution was ratified*
- The *tax on slaves could not exceed \$10/head on imported slaves*
- *Free states were to return fugitive slaves to their owners*

# Commerce Compromise

- ***To satisfy the agricultural states***
  - ***no export taxes could be imposed*** on any goods leaving the United States
  - ***3/5 vote would be needed in the Senate to ratify all treaties***
- ***To satisfy the commercial states***
  - Congress was ***allowed to regulate interstate commerce by a majority vote of both houses***

# Ratification

## Pro Constitution – The Federalist

- A ***strong central government would best serve the interests of the country*** without sacrificing the interests of the states
- ***Offered a positive program for the future***
- ***Offered a chance for the world to recognize the United States***
  - could ***improve its trade and commerce position*** with other world trading nations
- ***Promised to add a Bill of Rights after ratification***

## Anti Constitution – The Anti-Federalist

- ***Too strong a government was proposed*** by the new constitution
- ***No guarantee of any protection for the rights*** fought for in the revolution
- ***No Bill of Rights*** attached
- ***Dangerous to the sovereignty of each state***