

Chapter 1 : The Constitution: Great Debate (â€“) - Google Docs

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For more information, please see the full notice. Constitutional Convention and Ratification, â€” The Constitutional Convention in Philadelphia met between May and September of 1787 to address the problems of the weak central government that existed under the Articles of Confederation. The United States Constitution that emerged from the convention established a federal government with more specific powers, including those related to conducting relations with foreign governments. Under the reformed federal system, many of the responsibilities for foreign affairs fell under the authority of an executive branch, although important powers, such as treaty ratification, remained the responsibility of the legislative branch. After the necessary number of state ratifications, the Constitution came into effect in 1789 and has served as the basis of the United States Government ever since. Constitution Under the Articles of Confederation, the federal government faced many challenges in conducting foreign policy, largely due to its inability to pass or enforce laws that individual states found counter to their interests. The Treaty of Paris, which ended the American War of Independence, stipulated that debts owed by Americans to British subjects were to be honored, and also stipulated that former British loyalists could bring forth suits in U. These provisions were unpopular and many states blocked their enforcement. This led to British refusal to vacate military forts in U. Additionally, after the war, British traders flooded U. Southern delegates to the Confederation Congress wanted to lift this ban, while coastal merchants, especially in the northeast, were willing to make concessions in exchange for a treaty with otherwise favorable commercial terms. The large majorities necessary for ratification of such measures under the Articles of Confederation often resulted in the deadlock along sectional lines between North and South. The Constitutional Convention in Philadelphia In attempting to resolve such issues, as well as problems arising from the payment of debts from the Revolutionary War and other domestic issues, the delegates to the Constitutional Convention created a model of government that relied upon a series of checks and balances by dividing federal authority between the Legislative, the Judicial, and the Executive branches of government. The framers of the Constitution had originally imagined a weak presidency and a strong legislature divided into a House of Representatives and the Senate. Under the Articles of Confederation, considerable minor paperwork had bogged down important business enough that legislators decided to establish an executive branch to deal with routine paperwork. When writing the Constitution, the framers expected the Senate to handle important issues, particularly the ratification of treaties, while the Executive would attend to matters of lesser consequence. However, as deliberations continued, the Executive branch acquired more power to deal with some of the issues that had been a source of sectional tension under the Articles of Confederationâ€”and so the President acquired the authority to conduct foreign relations. The two-thirds clause for ratification of treaties in the Senate, as opposed to a simple majority, allowed the South a greater voice in these matters and assuaged concerns about the attempts to abandon navigation of the Mississippi. The Constitution does not stipulate existence of departments within the executive branch, but the need for such departments was recognized immediately. Congress passed legislation creating the Department of Foreign Affairs in its first session in 1789, and in the same year changed the name to the Department of State after it added several additional domestic duties to the Department. After the ratification of the Constitution in 1789, the machinery of state had been designed, but not yet tested and put to use. The provisions for management of foreign affairs would be put to the test in 1790, when the Senate had the opportunity to accept or reject the.

The Constitution: Great Debate, Should the United States adopt the new Constitution to replace the Articles of Confederation? €ISSUE #1: Need for change.

Eventually twelve states were represented; 74 delegates were named, 55 attended and 39 signed. The Virginia Plan also known as the Large State Plan or the Randolph Plan proposed that the legislative department of the national government be composed of a Bicameral Congress, with both chambers elected with apportionment according to population. Generally favoring the most highly populated states, it used the philosophy of John Locke to rely on consent of the governed, Montesquieu for divided government, and Edward Coke to emphasize civil liberties. Generally favoring the less-populous states, it used the philosophy of English Whigs such as Edmund Burke to rely on received procedure and William Blackstone to emphasize sovereignty of the legislature. This position reflected the belief that the states were independent entities and, as they entered the United States of America freely and individually, remained so. On June 13, the Virginia resolutions in amended form were reported out of committee. The New Jersey plan was put forward in response to the Virginia Plan. A "Committee of Eleven" one delegate from each state represented met from July 2 to 16 [31] to work out a compromise on the issue of representation in the federal legislature. All agreed to a republican form of government grounded in representing the people in the states. For the legislature, two issues were to be decided: There were sectional interests to be balanced by the Three-Fifths Compromise ; reconciliation on Presidential term, powers, and method of selection; and jurisdiction of the federal judiciary. Overall, the report of the committee conformed to the resolutions adopted by the Convention, adding some elements. A twenty-three article plus preamble constitution was presented. Details were attended to, and further compromises were effected. Several of the delegates were disappointed in the result, a makeshift series of unfortunate compromises. Some delegates left before the ceremony, and three others refused to sign. Of the thirty-nine signers, Benjamin Franklin summed up, addressing the Convention: Their accepted formula for the closing endorsement was "Done in Convention, by the unanimous consent of the States present. The new frame of government that the Philadelphia Convention presented was technically only a revision of the Articles of Confederation. After several days of debate, Congress voted to transmit the document to the thirteen states for ratification according to the process outlined in its Article VII. Each state legislature was to call elections for a "Federal Convention" to ratify the new Constitution, rather than consider ratification itself; a departure from the constitutional practice of the time, designed to expand the franchise in order to more clearly embrace "the people". The frame of government itself was to go into force among the States so acting upon the approval of nine i. They proceeded at once to New York, where Congress was in session, to placate the expected opposition. Aware of their vanishing authority, Congress, on September 28, after some debate, resolved unanimously to submit the Constitution to the States for action, "in conformity to the resolves of the Convention", [39] but with no recommendation either for or against its adoption. Two parties soon developed, one in opposition, the Anti-Federalists , and one in support, the Federalists , of the Constitution; and the Constitution was debated, criticized, and expounded upon clause by clause. Hamilton , Madison , and Jay , under the name of Publius , wrote a series of commentaries, now known as The Federalist Papers , in support of ratification in the state of New York , at that time a hotbed of anti-Federalism. These commentaries on the Constitution, written during the struggle for ratification, have been frequently cited by the Supreme Court as an authoritative contemporary interpretation of the meaning of its provisions. The dispute over additional powers for the central government was close, and in some states ratification was effected only after a bitter struggle in the state convention itself. On June 21, , the constitution had been ratified by the minimum of nine states required under Article VII. Towards the end of July, and with eleven states then having ratified, the process of organizing the new government began. The Continental Congress, which still functioned at irregular intervals, passed a resolution on September 13, , to put the new Constitution into operation with the eleven states that had then ratified it. However, the initial meeting of each chamber of Congress had to be adjourned due to lack of a quorum.

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Virginia and New York ratified the Constitution of under the assumption that a bill of rights would be added later, in the form of amendments. In the first national elections in , all the presidential electors cast their votes for George Washington.

United States Declaration of Independence On June 4, , a resolution was introduced in the Second Continental Congress declaring the union with Great Britain to be dissolved, proposing the formation of foreign alliances, and suggesting the drafting of a plan of confederation to be submitted to the respective states. Independence was declared on July 4, ; the preparation of a plan of confederation was postponed. Although the Declaration was a statement of principles, it did not create a government or even a framework for how politics would be carried out. It was the Articles of Confederation that provided the necessary structure to the new nation during and after the American Revolution. The Declaration, however, did set forth the ideas of natural rights and the social contract that would help form the foundation of constitutional government. The era of the Declaration of Independence is sometimes called the "Continental Congress" period. John Adams famously estimated as many as one-third of those resident in the original thirteen colonies were patriots. Scholars such as Gordon Wood describe how Americans were caught up in the Revolutionary fervor and excitement of creating governments, societies, a new nation on the face of the earth by rational choice as Thomas Paine declared in *Common Sense*. Republican government and personal liberty for "the people" were to overspread the New World continents and to last forever, a gift to posterity. These goals were influenced by Enlightenment philosophy. The adherents to this cause seized on English Whig political philosophy as described by historian Forrest McDonald as justification for most of their changes to received colonial charters and traditions. It was rooted in opposition to monarchy they saw as venal and corrupting to the "permanent interests of the people. Property requirements for suffrage for men were reduced to taxes on their tools in some states. Free blacks in New York could vote if they owned enough property. New Hampshire was thinking of abolishing all voting requirements for men but residency and religion. New Jersey let women vote. In some states, senators were now elected by the same voters as the larger electorate for the House, and even judges were elected to one-year terms. These " radical Whigs " were called the people "out-of-doors. Crowds of men and women massed at the steps of rural Court Houses during market-militia-court days. Shays Rebellion is a famous example. Revolutionary Congress[edit] The government of the First and Second Continental Congress, the period from September to March 1, is referred to as the Revolutionary Congress. Beginning in , the substantial powers assumed by Congress "made the league of states as cohesive and strong as any similar sort of republican confederation in history". Hylton and again in *Penhallow v. Articles of Confederation* The Articles of Confederation was unanimously adopted in Over the previous four years, it had been used by Congress as a "working document" to administer the early United States government, win the Revolutionary War and secure the Treaty of Paris with Great Britain. Lasting successes prior to the Constitutional Convention included the Land Ordinance of whereby Congress promised settlers west of the Appalachian Mountains full citizenship and eventual statehood. Governmental functions, including declarations of war and calls for an army, were supported in some degree for some time, by each state voluntarily, or not. The British refused to negotiate a commercial treaty in because the individual American states would not be bound by it. Congress could not act directly upon the States nor upon individuals. It had no authority to regulate foreign or interstate commerce. Every act of government was left to the individual States. Each state levied taxes and tariffs on other states at will, which invited retaliation. Congress could vote itself mediator and judge in state disputes, but states did not have to accept its decisions. British officers on the northern boundaries and Spanish officers to the south supplied arms to Native American tribes, allowing them to attack American settlers. The Spanish refused to allow western American farmers to use their port of New Orleans to ship produce. None paid what they were asked; sometimes some paid nothing. Congress appealed to the thirteen states for an amendment to the Articles to tax enough to pay the public debt as principal came due. Twelve states agreed, Rhode Island did not, so it failed. Repeatedly, one or two states defeated legislative proposals of major importance. Seven of the

thirteen states printed large quantities of its own paper money, backed by gold, land, or nothing, so there was no fair exchange rate among them. State courts required state creditors to accept payments at face value with a fraction of real purchase power. The same legislation that these states used to wipe out the Revolutionary debt to patriots was used to pay off promised veteran pensions. The measures were popular because they helped both small farmers and plantation owners pay off their debts. It imposed a tightly limited currency and high taxes. Without paper money veterans without cash lost their farms for back taxes. This triggered Shays Rebellion to stop tax collectors and close the courts. Troops quickly suppressed the rebellion, but nationalists like George Washington warned, "There are combustibles in every state which a spark might set fire to. Seven amendments to the Articles of Confederation were proposed. Under these reforms, Congress would gain "sole and exclusive" power to regulate trade. States could not favor foreigners over citizens. Congress could charge states a late payment penalty fee. A state withholding troops would be charged for them, plus a penalty. If a state did not pay, Congress could collect directly from its cities and counties. There would have been a national court of seven. No-shows at Congress would have been banned from any U. Delegates from five states gathered to discuss ways to facilitate commerce between the states and establish standard rules and regulations. At the time, each state was largely independent from the others and the national government had no authority in these matters. Because so few states were present, delegates did not deem "it advisable to proceed on the business of their mission. They desired that Constitutional Convention take place in Philadelphia in the summer of New York and others hesitated thinking that only the Continental Congress could propose amendments to the Articles. The "Federal Constitution" was to be changed to meet the requirements of good government and "the preservation of the Union". Congress would then approve what measures it allowed, then the state legislatures would unanimously confirm whatever changes of those were to take effect.

Chapter 4 : Federalists and Antifederalists Debate a Bill of Rights | Teaching American History

Constitutional Convention and Ratification, The Constitutional Convention in Philadelphia met between May and September of to address the problems of the weak central government that existed under the Articles of Confederation.

Visit Website Did you know? George Washington was initially reluctant to attend the Constitutional Convention. Visit Website Soon after America won its independence from Great Britain with its victory in the American Revolution , it became increasingly evident that the young republic needed a stronger central government in order to remain stable. In , Alexander Hamilton , a lawyer and politician from New York , called for a constitutional convention to discuss the matter. The Confederation Congress, which in February endorsed the idea, invited all 13 states to send delegates to a meeting in Philadelphia. There were 55 delegates in attendance, representing all 13 states except Rhode Island , which refused to send representatives because it did not want a powerful central government interfering in its economic business. Many had served in the Continental Army, colonial legislatures or the Continental Congress known as the Congress of the Confederation as of In terms of religious affiliation, most were Protestants. Eight delegates were signers of the Declaration of Independence, while six had signed the Articles of Confederation. Political leaders not in attendance at the convention included Thomas Jefferson and John Adams , who were serving as U. John Jay , Samuel Adams and John Hancock were also absent from the convention. Reporters and other visitors were barred from the convention sessions, which were held in secret to avoid outside pressures. Debating the Constitution The delegates had been tasked by Congress with amending the Articles of Confederation; however, they soon began deliberating proposals for an entirely new form of government. After intensive debate, which continued throughout the summer of and at times threatened to derail the proceedings, they developed a plan that established three branches of national governmentâ€”executive, legislative and judicial. A system of checks and balances was put into place so that no single branch would have too much authority. The specific powers and responsibilities of each branch were also laid out. Among the more contentious issues was the question of state representation in the national legislature. Delegates from larger states wanted population to determine how many representatives a state could send to Congress, while small states called for equal representation. The issue was resolved by the Connecticut Compromise, which proposed a bicameral legislature with proportional representation of the states in the lower house House of Representatives and equal representation in the upper house Senate. Another controversial topic was slavery. For the purposes of taxation and determining how many representatives a state could send to Congress, it was decided that slaves would be counted as three-fifths of a person. On September 17, George Washington was the first to sign the document. Of the 55 delegates, a total of 39 signed; some had already left Philadelphia, and threeâ€”George Mason and Edmund Randolph of Virginia , and Elbridge Gerry of Massachusettsâ€”refused to approve the document. In order for the Constitution to become law, it then had to be ratified by nine of the 13 states. James Madison and Alexander Hamilton, with assistance from John Jay, wrote a series of essays to persuade people to ratify the Constitution. People who supported the Constitution became known as Federalists, while those opposed it because they thought it gave too much power to the national government were called Anti-Federalists. Beginning on December 7, , five statesâ€” Delaware , Pennsylvania, New Jersey , Georgia and Connecticutâ€”ratified the Constitution in quick succession. However, other states, especially Massachusetts, opposed the document, as it failed to reserve undelegated powers to the states and lacked constitutional protection of basic political rights, such as freedom of speech, religion and the press. In February , a compromise was reached under which Massachusetts and other states would agree to ratify the document with the assurance that amendments would be immediately proposed. The Constitution was thus narrowly ratified in Massachusetts, followed by Maryland and South Carolina. On June 21, , New Hampshire became the ninth state to ratify the document, and it was subsequently agreed that government under the U. Constitution would begin on March 4, On February 2, , the U. Supreme Court held its first session, marking the date when the government was fully operative. Rhode Island, the last holdout of the original 13 states, finally ratified the Constitution on May 29, House of Representatives, introduced 19 amendments to the

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Constitution. On September 25, 1791, Congress adopted 12 of the amendments and sent them to the states for ratification. Ten of these amendments, known collectively as the Bill of Rights, were ratified and became part of the Constitution on December 10, 1791. The Bill of Rights guarantees individuals certain basic protections as citizens, including freedom of speech, religion and the press; the right to bear and keep arms; the right to peaceably assemble; protection from unreasonable search and seizure; and the right to a speedy and public trial by an impartial jury. The most recent amendment to the Constitution, Article XXVII, which deals with congressional pay raises, was proposed in 1992 and ratified in 1993. Through all the changes, the Constitution has endured and adapted. However, as Benjamin Franklin said on the closing day of the convention in 1787: "We start our free trial today."

Chapter 5 : The Debate over Ratification

The debate over the Constitution, / Author: Edited by Alfred Young. Publication info: Chicago: Rand McNally, [1965] a Constitution debate. |a 2 Close.

Chapter 6 : United States Constitution - Wikipedia

The Great Debate Signing of the United States Constitution by Junius Brutus Stearns, oil on canvas The transition from the Articles of Confederation to the United States Constitution wasn't a seamless one, and fixing the problems of the Articles of Confederation required a series of lengthy debates both during and after the convention.

Chapter 7 : Debates Over Ratifying The Constitution | Researchomatic

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Chapter 9 : Debates in the Federal Convention

After nearly four months of debate, on September 8, 1787, the final text of the Constitution was set down and revised. Then, an official copy of the document was engrossed by Jacob Shallus.