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Chapter 1 : New York Proposal 1, Constitutional Convention Question () - Ballotpedia

The hundred day debate known as the Constitutional Convention was one of the most momentous occurrences in United States Constitutional History, and the events that would take place in the Pennsylvania State House during that time would set the United States on the course towards becoming a true.

Despite everything, a new civil war could not be avoided. Fortunately the frontier departments had remained faithful to the Convention. The rising was widespread rather than deep. It was essentially the work of the departmental and district administrations. The communes, which were more popular in composition, showed themselves in general lukewarm or hostile; and federalist leaders soon became divided among themselves. Those who were seeing themselves rejected by the people, sought support from the moderates, the Feuillants and even from the aristocrats. Spanish troops crossed the Pyrenees and began advancing on Perpignan. The Piedmontese took advantage of the diversion of republican forces at Lyons in order to invade France from the East. The military situation had become desperate. In addition there were other incidents which compounded the fury of the revolutionaries and convinced them that their opponents had abandoned all restraint of civilized behavior. She had been in touch with Girondin rebels in Normandy and they were believed to have used her as their agent. Warrants were issued for the arrest of the rebellious Girondin leaders; the members of the revolting departmental administration were deprived of their office. There was no room for a third party between the Mountain, which was identified with the Republic, and royalism, which was the ally of the enemy. The Girondin insurrection now prompted it to take a decisive step in the same direction. The Convention governed by means of its committees. Two of them were of essential importance: Public Safety and General Security. The second, which had formidable powers, is less well known than the first, which was the true executive authority and was armed with immense prerogatives. It dated from April, but its composition was thoroughly reshuffled during the summer of On top of this came the news of unprecedented treason: Toulon and its squadron had been handed over to the enemy. But the revolutionary logic of the mobilization of resources by national dictatorship was infinitely more powerful than economic doctrine. In August, a series of decrees gave the authorities discretionary powers over the production and circulation of grain, as well as ferocious punishments for fraud. Armed sections again encircled the Convention to demand the setting up of an internal revolutionary army, the arrest of suspects and a purge of the committees. It was probably the key day in the formation of the revolutionary government: Danton resigned from it on 10 July. They had a few clear ideas to which they clung: Their work in common, the danger, the taste of and pride in power created solidarity that made the Committee an autonomous organism. But the situation which united them in the summer of was stronger than those differences of opinion. To govern in the name of the Convention, at the same time controlling it, and to restrain the people without quenching their enthusiasm – this was a gamble. In the center was the Convention, whose secular arm was the Committee of Public Safety, vested with immense powers: It held responsibility for conducting war, public order and the provisioning of the population. The Commune of Paris, a famous sans-culotte bastion, was neutralized by coming under its control. Circumstances gradually compelled it to assume the economic government of the country. Along with organization of the army, this was the most original feature of its work. Farmers surrendered their grain, fodder, wool, flax, and hemp. Artisans and merchants gave up their manufactured products. Raw materials were carefully sought out – metal of all kinds, church bells, old paper, rags and parchments, grasses, brushwood, and even household ashes for manufacturing of potassium salts, and chestnuts for distilling. All businesses were placed at the disposal of the nation – forests, mines, quarries, furnaces, forges, tanneries, paper mills, large cloth factories and shoe making workshops. The labor of men and the value of things were subject to price controls. No one had a right to speculate at the cost of Patrie while it was in danger. Armaments caused more concern. As early as September efforts were made to create a large factory in Paris for rifles and sidearms. Monge , Vandermonde , Berthollet , Darcet , Fourcroy perfected metallurgy and

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manufacture of arms. It increased wages by one-half in relation to , and commodities by only one-third. But since the Committee did not ensure that it was respected except for bread , they would have been duped had they not been benefiting from the favorable conditions that a great war always offers the labor force. French Revolutionary Army During the summer the requisition of the levy was completed and by July the total strength of the army reached , The difficulties were tremendous. The war production just started in September. The army was in the middle of the purge. In the spring of the amalgamation was undertaken. Two battalions of volunteers joined one battalion of regulars to constitute a demi-brigade, or regiment. At the same time the command was reconstituted. The purge ended with most of the nobles excluded. The new generation reached the highest ranks, and the War College Ecole de Mars received six young men from each district to improve the staff. Army commanders were to be appointed by the Convention. Marceau , Hoche , Kleber , Massena , Jourdan , and a host of others, backed by officers who were sound both in their abilities as soldiers and in their sense of civic responsibility. The technical innovations resulted chiefly from its sheer size as well the strategy that developed from it. The old system of cordons lost its prestige. Moving between the armies of the Coalition, the French could maneuver along interior lines, deploy part of their troops along the frontiers, and take advantage of the inaction of any one of their enemies to beat the others. They were still untried, and not until Bonaparte appeared did they enjoy any great success. The Hebertists preferred to side with the Montagnards, so long as they could hope to control the Convention through them. The Dantonists were led predominately by deputies of the Convention rather than the sans-culottes , including Danton , Delacroix , and Desmoulins. Putting the needs of national defense above all other considerations, the Committee of Public Safety had no intentions of giving in to the demands of either the popular movement or the moderates. Following the Hebertists would jeopardize revolutionary unity, while the giving in to the demands of the moderates would have undermined the both the Terror and the controlled economy. However, unity, centralization, and the Terror were all considered essential to the war effort. The Hebertists incited sans-culottes to demand stringent measures, and at first the Committee did prove conciliatory. The Hebertists felt that if they increased the pressure, they would triumph once and for all. Although the call appeared like one for insurrection it was probably just for a new demonstration, like the one in September. All were executed on 4 Germinal 24 March. Having succeeded in stifling dissent on the left, the Committee then turned on the Dantonists, several members of which were implicated in financial corruption. The Committee forced the Convention to lift the parliamentary immunity of nine Dantonist deputies, allowing them to be put on trial. All the positions of influence traditionally held by the sans-culottes were eliminated: The Paris Commune, controlled by sans-culottes, was purged and filled with Committee nominees. With the execution of the Dantonists , many of the members of the National Convention lost trust in the Committee, and even began to fear for their personal safety. By compelling the Convention to allow the arrests of the Girondins and Dantonists , the Committee believed it had destroyed its major opposition. Many Convention members who had sided with the Committee in the past by mid no longer supported it. The Committee had acted as mediator between the Convention and the sans-culottes from which they both had acquired their strength. By executing the Hebertists and alienating the sans-culottes, the Committee became unnecessary to the Assembly. Reign of Terror Though the Terror was organized in September , it was not introduced until October. It had resulted from a popular movement. A new chapter of the Revolutionary Tribunal was opened after 5 September, divided into four sections: The queen was guillotined on 16 October. A special decree stifled the defense of 21 Girondins, including Vergniaud and Brissot , and they perished on the 31st. It consisted of twelve members elected each month by the Convention, and vested with security, surveillance and police functions, including over civil and military authorities. It employed a large staff, headed the gradually constituted network of local revolutionary committees, and applied the law on suspects by sifting through the thousands of local denunciations and arrests which it then had to try. It was socially indiscriminate and politically perspicacious. Its victims belonged to the classes which hated the Revolution or lived in the regions where rebellion was most serious. Camille Desmoulins and Georges Danton were two of the more notable men executed for their

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"threats" against the Revolution. This distinction allowed for slavery to be illegal in France but continue in the colonies. On May 5, , Sonthonax and Polverel, first attacked the plantation system and forced the owners to treat the slaves better and care more for their well-being. The National Convention abolished slavery after hearing speeches from the deputies on February 4, This was due to the apparent opposition of Robespierre to the abolition of slavery. The issue was eventually resolved following the Committee circumventing Robespierre and ordering the abolition decree to be sent to Saint Domingue. As soon as its political opponents had been destroyed, and its foreign enemies defeated, it would lose the chief force that kept it together. The Jacobin fall happened more rapidly than expected because of issues within the party. It was a coalition cabinet. Its members were kept together less by comradeship or common ideals than by calculation and routine. The press of business which at first prevented personal quarrels also produced tired nerves.

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Chapter 2 : What is the outcome of the Constitutional Convention

The US Constitution was the outcome of the Constitutional Convention. The Convention lasted from May 25 to September 17, in Philadelphia.

Historical context[edit] Before the Constitution was drafted, the nearly 4 million inhabitants [4] of the 13 newly independent states were governed under the Articles of Confederation and Perpetual Union , created by the Second Continental Congress , first proposed in , adopted by the Second Continental Congress in and only finally unanimously ratified by the Original Thirteen States by It soon became evident to nearly all that the chronically underfunded Confederation government, as originally organized, was inadequate for managing the various conflicts that arose among the states. James Madison suggested that state governments should appoint commissioners "to take into consideration the trade of the United States; to examine the relative situation and trade of said states; to consider how far a uniform system in their commercial regulations may be necessary to their common interests and permanent harmony". A political conflict between Boston merchants and rural farmers over issues including tax debts had broken out into an open rebellion. This rebellion was led by a former Revolutionary War captain, Daniel Shays , a small farmer with tax debts, who had never received payment for his service in the Continental Army. The rebellion took months for Massachusetts to put down completely, and some desired a federal army that would be able to put down such insurrections. In September , at the Annapolis Convention , delegates from five states called for a Constitutional Convention in order to discuss possible improvements to the Articles of Confederation. Rhode Island, fearing that the Convention would work to its disadvantage, boycotted the Convention and, when the Constitution was put to the states during the next year of controversial debates, initially refused to ratify it, waiting until May to become the thirteenth, a year after the new federal government commenced. New Hampshire delegates would not join the Convention until more than halfway through the proceedings, on July While waiting for the other delegates, the Virginia delegation produced the Virginia Plan , which was designed and written by James Madison. On May 25, the delegations convened in the Pennsylvania State House. George Washington was unanimously elected president of the Convention, [13] and it was agreed that the discussions and votes would be kept secret until the conclusion of the meeting. Most commonly, they referred to the history of England , in particular the Glorious Revolution often simply called "The Revolution" , classical history mainly the Roman Republic and the leagues of Greek city-states , and recent precedents from Holland and Germany. Outside the Convention in Philadelphia, there was a national convening of the Society of the Cincinnati. Washington was said to be embarrassed. The "old republican" delegates like Elbridge Gerry MA found anything military or hereditary anathema. The Presbyterian Synod of Philadelphia and New York convention was meeting to redefine its Confession, dropping the faith requirement for civil authority to prohibit false worship. Merchants of Providence, Rhode Island, petitioned for consideration, though their Assembly had not sent a delegation. He carried grants of five million acres to parcel out among The Ohio Company and "speculators", including some who were attending the Convention. Most importantly, they agreed that the Convention should go beyond its mandate merely to amend the Articles of Confederation , and instead should produce a new constitution outright. While some delegates thought this illegal, the Articles of Confederation were closer to a treaty between sovereign states than they were to a national constitution, so the genuine legal problems were limited. Once this was done, they began modifying it. During the deliberations, few raised serious objections to the planned bicameral congress, nor the separate executive function , nor the separate judicial function. The main exceptions to this were the dysfunctional Confederation Congress and the unicameral Pennsylvania legislature , which was seen as quickly vacillating between partisan extremes after each election. Since America had no native hereditary aristocracy , the character of this upper house was designed to protect the interests of this wealthy elite, the "minority of the opulent," against the interests of the lower classes, who constituted the majority of the population. An agrarian law would soon take place. If these observations be just, our

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government ought to secure the permanent interests of the country against innovation. Landholders ought to have a share in the government, to support these invaluable interests, and to balance and check the other. They ought to be so constituted as to protect the minority of the opulent against the majority. The Senate, therefore, ought to be this body; and to answer these purposes, they ought to have permanency and stability. Convention delegate Elbridge Gerry of Massachusetts observed that "the great mercantile interest and of stockholders, is not provided for in any mode of election-they will however be better represented if the State legislatures choose the second branch. The delegates also agreed with Madison that the executive function had to be independent of the legislature. In their aversion to kingly power, American legislatures had created state governments where the executive was beholden to the legislature, and by the late s this was widely seen as being a source of paralysis. Furthermore, in the English tradition, judges were seen as being agents of the King and his court, who represented him throughout his realm. At the Convention, some sided with Madison that the legislature should choose judges, while others believed the president should choose judges. A compromise was eventually reached that the president should choose judges and the Senate confirm them. Few agreed with Madison that the legislature should be able to invalidate state laws, so the idea was dropped. While most thought there should be some mechanism to invalidate bad laws by congress, few agreed with Madison that a board of the executive and judges should decide on this. Instead, the power was given solely to the executive in the form of the veto. Many also thought this would be useful to protect the executive, whom many worried might become beholden to an imperial legislature. The first are the rich and well born, the other the mass of the people. The voice of the people has been said to be the voice of God; and however generally this maxim has been quoted and believed, it is not true in fact. The people are turbulent and changing; they seldom judge or determine right. Give therefore to the first class a distinct, permanent share in the government. They will check the unsteadiness of the second, and as they cannot receive any advantage by a change, they therefore will ever maintain good government. Can a democratic assembly, who annually revolve in the mass of the people, be supposed steadily to pursue the public good? Nothing but a permanent body can check the imprudence of democracy. Their turbulent and uncontroled disposition requires checks. A minority wanted it to be apportioned so that all states would have equal weight, though this was never seriously considered. Most wanted it apportioned in accordance with some mixture of property and population. Most accepted the desire among the slave states to count slaves as part of the population, although their servile status was raised as a major objection against this. The Three-Fifths Compromise assessing population by adding the number of free persons to three-fifths of "all other persons" slaves was agreed to without serious dispute. That the lower house was to be elected directly by the voters was also accepted without major dispute. Few agreed with Madison that its members should be elected by the lower house. James Wilson suggested election by popular vote versus election by state legislature, but his proposal was shot down 10â€”1 by the delegates. Local papers even said little about the meeting of the Convention. Front side of the Virginia Plan Besides the problems of direct election, the new Constitution was seen as such a radical break with the old system, by which delegates were elected to the Confederation Congress by state legislatures, that the Convention agreed to retain this method of electing senators to make the constitutional change less radical. The large states, fearing a diminution of their influence in the legislature under this plan, opposed this proposal. Unable to reach agreement, the delegates decided to leave this issue for further consideration later during the meeting. Many wished to limit the power of the executive and thus supported the proposal to divide the executive power between three persons. Another issue concerned the election of the president. Few agreed with Madison that the executive should be elected by the legislature. There was widespread concern with direct election, because information diffused so slowly in the late 18th century, and because of concerns that people would only vote for candidates from their state or region. A vocal minority wanted the national executive to be chosen by the governors of the states. At the time, before the formation of modern political parties, there was widespread concern that candidates would routinely fail to secure a majority of electors in the electoral college. The method of resolving this problem therefore was a contested issue. Most thought that the house should then

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choose the president, since it most closely reflected the will of the people. This caused dissension among delegates from smaller states, who realized that this would put their states at a disadvantage. To resolve this dispute, the Convention agreed that the house would elect the president if no candidate had an electoral college majority, but that each state delegation would vote as a bloc, rather than individually. In its report to the Convention on July 5, the committee offered a compromise. The large states had opposed the Connecticut Compromise, because they felt it gave too much power to the smaller states. Stewart has called a "remarkable copy-and-paste job. As Stewart describes it, the committee "hijacked" and remade the Constitution, altering critical agreements the Convention delegates had already made, enhancing the powers of the states at the expense of the national government, and adding several far-reaching provisions that the Convention had never discussed. He argued for a federal government of limited power. The first major change, insisted on by Rutledge, was meant to sharply curtail the essentially unlimited powers to legislate "in all cases for the general interests of the Union" that the Convention only two weeks earlier had agreed to grant the Congress. Rutledge and Randolph worried that the broad powers implied in the language agreed on by the Convention would have given the national government too much power at the expense of the states. Over the course of a series of drafts, a catchall provision the " Necessary and Proper Clause " was eventually added, most likely by Wilson, a nationalist little concerned with the sovereignty of individual states, giving the Congress the broad power "to make all Laws that shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this Constitution in the government of the United States, or in any department or officer thereof. On the day the Convention had agreed to appoint the committee, Southerner Charles Cotesworth Pinckney, of South Carolina, had warned of dire consequences should the committee fail to include protections for slavery in the Southern states, or allow for taxing of Southern agricultural exports. The proposed language would bar the Congress from ever interfering with the slave trade. Even after it issued this report, the committee continued to meet off and on until early September. Further modifications and concluding debate[edit] Another month of discussion and relatively minor refinement followed, during which several attempts were made to alter the Rutledge draft, though few were successful. Some wanted to add property qualifications for people to hold office, while others wanted to prevent the national government from issuing paper money. One important change that did make it into the final version included the agreement between northern and southern delegates to empower Congress to end the slave trade starting in Southern and northern delegates also agreed to strengthen the Fugitive Slave Clause in exchange for removing a requirement that two-thirds of Congress agree on "navigation acts" regulations of commerce between states and foreign governments. The two-thirds requirement was favored by southern delegates, who thought Congress might pass navigation acts that would be economically harmful to slaveholders. The Committee of Detail was considering several questions related to habeas corpus, freedom of the press, and an executive council to advise the president. Two committees addressed questions related to the slave trade and the assumption of war debts. A new committee was created, the Committee on Postponed Parts, to address other questions that had been postponed. Its members, such as Madison, were delegates who had shown a greater desire for compromise and were chosen for this reason as most in the Convention wanted to finish their work and go home. They also created the office of the vice president, whose only roles were to succeed a president unable to complete a term of office, to preside over the Senate, and to cast tie-breaking votes in the Senate. The committee transferred important powers from the Senate to the president, for example the power to make treaties and appoint ambassadors. The problem had resulted from the understanding that the president would be chosen by Congress; the decision to have the president be chosen instead by an electoral college reduced the chance of the president becoming beholden to Congress, so a shorter term with eligibility for re-election became a viable option. Near the end of the Convention, Gerry, Randolph, and Mason emerged as the main force of opposition. The main objection of the three was the compromise that would allow Congress to pass "navigation acts" with a simple majority in exchange for strengthened slave provisions. Though most of their complaints did not result in changes, a couple did. Mason succeeded in adding "high crimes and

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misdemeanors" to the impeachment clause. Gerry also convinced the Convention to include a second method for ratification of amendments. The report out of the Committee of Detail had included only one mechanism for constitutional amendment, in which two-thirds of the states had to ask Congress to convene a convention for consideration of amendments. As the Convention was drawing to a conclusion, and delegates prepared to refer the Constitution to the Committee on Style to pen the final version, one delegate raised an objection over civil trials.

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Chapter 3 : The Constitutional Convention | Teaching American History

The Convention agreed on several principles. Most importantly, they agreed that the Convention should go beyond its mandate merely to amend the Articles of Confederation, and instead should produce a new constitution outright.

What emerged was the most extensive documentation of the powers of government and the rights of the people that the world had ever witnessed. These state constitutions displayed a remarkable uniformity. Seven attached a prefatory Declaration of Rights, and all contained the same civil and criminal rights. New York incorporated the entire Declaration of Independence into its constitution. The primary purpose of these declarations and bills was to outline the objectives of government: All accepted the notion that the legislative branch should be preeminent, but, at the very same time, endorsed the concept that the liberty of the people was in danger from the corruption of the representatives. And this despite the fact that the representatives were installed by the election of the people. Thus, each state constitution embraced the notion of short terms of office for elected representatives along with recall, rotation, and term limits. The Second Continental Congress also created the first continental-wide system of governance. The Articles of Confederation created a nation of pre-existing states rather than a government over individuals. Thus, the very idea of a Bill of Rights was irrelevant because the Articles did not entail a government over individuals. Amendments required the unanimous approval of all thirteen state legislatures. These two directives produced two opposite and rival situations: Several statesmen, especially George Washington, were concerned that the idea of an American mind that had emerged during the war with Britain was about to disappear and the Articles of Confederation were inadequate to foster the development of an American character. And there was nothing that the union government could do about it because the Articles left matters of religion and commerce to the states. The solution, concluded Madison, was to create an extended republic, in which a variety of opinions, passions, and interests would check and balance each other, supported by a governmental framework that endorsed a separation of powers between the branches of the general government. Matters changed, however, in 1787. The people have the right to choose the form of government under which they shall live and to install such government as they deem appropriate to secure their liberty, security, and happiness. The Selection of the Delegates Madison and Washington agreed that the principles of the Revolution were in danger due to a weak continental arrangement and overbearing, unjust, and reckless state legislatures. But how could they take advantage of the opportunity provided by the Annapolis recommendation? How was such a bold proposal to be put into effect? Madison persuaded the Virginia Legislature to implement the challenge of the Annapolis Convention and invite all the other states to also reconsider the status of the Articles. Pennsylvania selected eight delegates: Thomas Mifflin was elected as the leader of the delegation; he was speaker of the Pennsylvania Assembly. All the delegates from Pennsylvania resided in Philadelphia. Former Governor Alexander Martin was chosen to lead the North Carolina delegation, but left before the signing. In 1781 he was killed in a duel. Howard Christy gives this central signing honors in his commemoration of the Constitution. Jacob Broom and Richard Bassett. Other states, however, were more cautious and wanted the existing Congress to address the legitimacy of such a gathering. The recommendatory act of Congress reads thus: New York was the first state to act after the Congressional endorsement. The New York delegation was not particularly prominent at the Convention. Yates and Lansing left in early July, just prior to the passage of the Connecticut Compromise, and the year-old Hamilton, who lost his life at age 49 in a duel with Aaron Burr, was far more influential in securing the adoption of the Constitution in than in its framing in 1787. Four days before the Convention began, Connecticut elected three delegates: William Samuel Johnson, who learned of his appointment to the Presidency of Columbia College on his way to Philadelphia, Roger Sherman, who signed both the Declaration and the Articles, and year-old Oliver Ellsworth who had the reputation of talking to himself and being a chain chewer of snuff. He was joined by year-old bachelor, Daniel of St. New Hampshire was short of cash so John Langdon funded the expenses for himself and Nicholas Gilman; they arrived at the

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Convention on July 23, after the main debate over the Connecticut Compromise was completed and yet just in time for a one-week recess. Rhode Island, the thirteenth state, declined to send delegates. Alexis de Tocqueville marveled at the work of the American Founders: Madison, in Federalist 37, indicates the uniqueness of the Founding: And Hamilton, in Federalist 1, suggested that this was a unique event in the history of the world; finally government was going to be established by reflection and choice rather than force and fraud. And what is also unique is the fact that the framers were relatively young, well educated, and politically experienced. Like the Declaration of Independence, the Constitution was written by delegates immersed in the writings of Aristotle, Cicero, Locke, and Montesquieu, and a world of political experience at both the state and continental level. Both basic documents were written in Independence Hall, Philadelphia, and thirty signers of the Declaration played a vital part in the creation and adoption of the Constitution.

How to Read the Convention Very few of the delegates selected were present at the appointed time for the meeting of the Grand Convention in Philadelphia on May 14. All the Virginia delegates were present, however, and fully settled into their accommodations. During this waiting period, the Virginia delegates caucused with each other in an attempt to set the tone for the deliberations of the Convention and paid courtesy calls on prominent members of Philadelphia society. Some entered a Catholic church for the first time. On May 25, a quorum of seven states was secured. The first order of business was to elect a President, and George Washington was the obvious choice. William Jackson, yet another immigrant at the Convention, was elected Secretary of the Convention and he recorded the propositions and amendments as well as the vote tabulation. James Madison took extensive Notes of the proceedings and although some scholars have questioned their authenticity and completeness, they remain the primary source for reproducing the conversations at the Convention. Other delegates kept specific notes on certain days, there are letters back home to friends and loved ones, there are urgent bills sent for immediate payment that augment, and there are personal diaries, some more complete than others. The delegates also agreed that the deliberations would be kept secret. The case in favor of secrecy was that the issues at hand were so important that honest discourse needed to be encouraged and delegates ought to feel free to speak their mind, and change their mind, as they saw fit. The merits and demerits of the secrecy rule have been a subject of considerable debate throughout American history. Under the wholly federal Articles of Confederation, only the states are represented and the central government was restrained to the exercise of expressly delegated powers. And under the state republican constitutions, the governor had very little authority, and the elected representatives were kept under close scrutiny. This wholly national republican plan is debated, and amended, over the next two weeks, and the main features are adopted by the delegates in mid June over two alternatives: Hamilton, among other things, envisioned a President for life. Act Two portrays the Convention in crisis, in the sense that the delegates were at a stalemate. Far from the wholly national republican Virginia Plan being accepted, as we might very well anticipate when the curtain fell at the end of Act One, the delegates from Connecticut, New Jersey, Delaware, New York, and Mr. They argued that the Convention had exceeded the Congressional mandate because the Articles had in fact been scrapped rather than revised. Thus the Convention had violated the rule of law. These delegates knew their Locke and Montesquieu and they relied on their own political experience which was remarkably extensive: A breakthrough occurs at the end of June when Oliver Ellsworth of Connecticut suggests that we are neither wholly national nor wholly federal but a mixture of both. Several delegates echo this theme and the Convention decides to move beyond the exclusively national or federal paradigms. The Gerry Committee is created to explore the ramifications of this suggestion that the people be represented in the House and the states be represented in the Senate. Act Three focuses on the debates during August over the Committee of Detail Report, especially concerning the itemization of Congressional powers. With the Connecticut Compromise in place, the delegates turned from the question of structure to the question of national and state powers. Under the Virginia Plan, Congress was empowered to do anything the States were incompetent to do. By July, that was no longer acceptable to the delegates. Another issue that emerged in Act Three is the slavery question. This is a vital question and deserves special coverage. The former forbids

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Congress from ever regulating the slave trade and prohibits Congress from discouraging the trade by means of a tax or tariff. By contrast the final Constitution, limits the prohibition on Congress until and permits Congress to discourage the slave trade. In March, 1807, President Jefferson signed into law an Act of Congress prohibiting the slave trade effective January 1, 1808, and during the 1800s Congress took specific steps to discourage the importation of Africans for the purpose of being sold into slavery. Despite all the progress that had been made on the structural role of the states and enumerating the powers of Congress, there was much work still to be done on the Presidency. The Brearley Committee came up with the idea of an Electoral College as a sensible compromise to the long and largely fruitless debates on how to elect the President. It had been clear for four months that until the mode of election was settled, no progress could be made on 1 length of term, 2 the issue of re-eligibility, and 3 the powers of the President. The Electoral College was modeled on the Connecticut Compromise: The Committee of Style wrote the final draft of the Constitution. It included a Preamble and an obligation of contracts clause, both written by Gouverneur Morris, and an enumeration of the powers of Congress in Article I, Section 8. During the last week of the Convention the delegates added a few refinements, raised some serious concerns, and discussed what they agreed to over the four months of deliberations. And the delegates wondered whether or not the power to create a national university was implied within the meaning of the necessary and proper clause. On the last day of the Convention, September 17, 1787, Benjamin Franklin looked at the chair occupied by Washington and declared the sun enshrined on the chair to be a rising sun. Many delegates over the four months of deliberation often thought that it was a setting sun.

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Chapter 4 : Introduction to the Constitutional Convention | Teaching American History

One of the founders who called the Constitutional Convention and wrote the Virginia plan Virginia Plan Virginia delegate James Madison's plan of government, in which states got a number of representatives in Congress based on their population.

For more information, please see the full notice. Constitutional Convention and Ratification, “ 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.S. courts. These provisions were unpopular and many states blocked their enforcement. This led to British refusal to vacate military forts in U.S. territory. Additionally, after the war, British traders flooded U.S. 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 Confederation” 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.

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Chapter 5 : The Constitutional Convention of in Philadelphia

The result of the Constitution, at its completion, was a system of government with three branches to separate responsibilities and powers that were reserved to the states. The official purpose.

Michael Leachman and David A. Super [1] In the coming months, a number of states are likely to consider resolutions that call for a convention to propose amendments to the U. Constitution to require a balanced federal budget, and possibly to shrink federal authority in other, often unspecified, ways. Proponents of these resolutions claim that 28 of the 34 states required to call a constitutional convention already have passed such resolutions. State lawmakers considering such resolutions should be skeptical of claims being made by groups promoting the resolutions such as the American Legislative Exchange Council, or ALEC that states could control the actions or outcomes of a constitutional convention. A convention likely would be extremely contentious and highly politicized, and its results impossible to predict. A number of prominent jurists and legal scholars have warned that a constitutional convention could open up the Constitution to radical and harmful changes. Who knows what would come out of it? The Convention could make its own rules and set its own agenda. Congress might try to limit the Convention to one amendment or one issue, but there is no way to assure that the Convention would obey. A convention could write its own rules. The Constitution provides no guidance whatsoever on the ground rules for a convention. This leaves wide open to political considerations and pressures such fundamental questions as how the delegates would be chosen, how many delegates each state would have, and whether a supermajority vote would be required to approve amendments. A convention could set its own agenda, possibly influenced by powerful interest groups. The only constitutional convention in U. Charged with amending the Articles of Confederation to promote trade among the states, the convention instead wrote an entirely new governing document. A convention held today could set its own agenda, too. There is no guarantee that a convention could be limited to a particular set of issues, such as those related to balancing the federal budget. As a result, powerful, well-funded interest groups would surely seek to influence the process and press for changes to the agenda, seeing a constitutional convention as an opportunity to enact major policy changes. A convention could choose a new ratification process. The convention ignored the ratification process under which it was established and created a new process, lowering the number of states needed to approve the new Constitution and removing Congress from the approval process. The states then ignored the pre-existing ratification procedures and adopted the Constitution under the new ratification procedures that the convention proposed. Or it could follow the example of the convention and lower the required fraction of the states needed to approve its proposals from three-quarters to two-thirds. No other body, including the courts, has clear authority over a convention. The Constitution provides for no authority above that of a constitutional convention, so it is not clear that the courts " or any other institution " could intervene if a convention did not limit itself to the language of the state resolutions calling for a convention. The following sections of this report provide background on the current campaign to call a constitutional convention and examine in more detail the reasons why policymakers should be skeptical of any claims that the states could control a constitutional convention. In addition, Box 1 below examines the substantial economic risks that a constitutional balanced budget amendment would pose. Campaigns for a Constitutional Convention Article V of the Constitution provides for two methods of enacting constitutional amendments. Congress may, by a two-thirds vote in each chamber, propose a specific amendment; if at least three-fourths of the states 38 states ratify it, the Constitution is amended. Alternatively, the states may call on Congress to form a constitutional convention to propose amendments. Congress must act on this call if at least two-thirds of the states 34 states make the request. The convention would then propose constitutional amendments. Under the Constitution, such amendments would take effect if ratified by at least 38 states. In part because the only constitutional convention in U. Congress has proposed specific amendments to the states, which have ratified them by the necessary three-quarters majority or turned them down. In the late s and early s, many

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states adopted resolutions calling for a constitutional convention to require the federal government to balance its budget every year. From the mids through , no such new resolutions passed, and about half of the states that had adopted these resolutions rescinded them in part due to fears that a convention, once called, could propose altering the Constitution in ways that the state resolutions did not envision. According to some proponents of such a convention, a total of 28 states have now adopted resolutions and not rescinded them. Proponents have targeted another 11 states for action this year and next. **Balanced Budget Amendment Likely to Harm the Economy Even if a constitutional convention could be limited to proposing a single amendment requiring the federal government to spend no more than it receives in a given year, such an amendment alone would likely do substantial damage. It also would raise significant problems for the operation of Social Security and certain other key federal functions. By requiring a balanced budget every year, no matter the state of the economy, such an amendment would risk tipping weak economies into recession and making recessions longer and deeper, causing very large job losses. Such actions would launch a vicious spiral: Most recent proposals to write a balanced budget requirement into the U. Constitution would allow Congress to waive the balanced budget stricture if a supermajority of both chambers voted to do so. However, data showing that the economy is in recession do not become available until months after the economy has begun to weaken and recession has set in. Requiring that federal spending in any year be offset by revenues collected in that same year would also cause other problems. Social Security would effectively be prevented from drawing down its reserves from previous years to pay benefits in a later year and, instead, could be forced to cut benefits even if it had ample balances in its trust funds, as it does today. The same would be true for Medicare Part A and for military retirement and civil service retirement programs. Nor could the Federal Deposit Insurance Corporation or the Pension Benefit Guaranty Corporation respond quickly to bank or pension fund failures by using its assets to pay deposit or pension insurance, unless it could do so without causing the budget to slip out of balance. Proponents of a constitutional balanced budget amendment often argue that states and families must balance their budgets each year and the federal government should do the same. Yet this is a false analogy. While states must balance their operating budgets, they can “ and regularly do “ borrow for capital projects such as roads, schools, and water treatment plants. And families borrow, as well, such as when they take out mortgages to buy homes or loans to send children to college. In contrast, the proposed constitutional amendment would bar the federal government from borrowing to make worthy investments even if they have substantial future pay-offs. And, as with Social Security, the amendment would prohibit using past savings for current purchases; if a family had to live under its strictures, not only would mortgages be prohibited, but so too would buying a house from years of prior savings. Such a ceiling would reduce or eliminate any pressure to produce deficit reduction packages that pair spending reductions with increased revenue from closing unproductive special-interest tax loopholes or from combatting tax avoidance by powerful corporations. Whether Congress would agree to count all such other state resolutions is unknown. The question is important, because the Constitution grants solely to Congress the power to determine whether the state threshold has been met. The Constitution makes no provision for a presidential veto of a congressional resolution calling a constitutional convention; and such a resolution consequently appears not to require a Presidential signature. In other words, if enough additional states adopt resolutions calling for a constitutional convention and Congress rules that the state threshold has been met, a convention must be held. But there is no consensus on this question among constitutional scholars or others who have studied the question carefully; the selective quotations that convention proponents cite from the s do not reflect a consensus among the Framers of the Constitution and do not have the force of law. Even more importantly, no court or other body exists with the authority to enforce any such rules and to override the decisions of a constitutional convention. A number of prominent constitutional experts have warned of the dangers of calling a new constitutional convention see Box 2. These concerns are justified, for several reasons: Once Called, Convention Could Write Its Own Rules Because a constitutional convention has not been held since , the nation has established no orderly procedures for the formation and operation of one. As a result, many fundamental questions remain unanswered. For**

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example, would votes in the convention be allocated among states according to population or would every state have one vote? Constitutional Experts Warn That States Cannot Control a Convention A number of prominent legal experts have warned that states cannot control a constitutional convention or that calling one could open up the Constitution to significant and unpredictable changes. Second, difficult interpretive questions about the Bill of Rights or the scope of the taxing power or the commerce power tend to arise one at a time, while questions surrounding the convention process would more or less need to be resolved all at once. On the contrary, they may be eliminated entirely if Congress decides that state conventions would be more appropriate vehicles for ratification. The states have the last say on amendments, but the Constitution permits them to consider only those proposals that emerge from a national institution free to consider all possible responses to an alleged constitutional deficiency. Nobody thinks we are now in the midst of constitutional crisis. Why, then, should we put the work of the first convention in jeopardy? In the 1980s, as a professor, Scalia argued that a convention was worth the risks he saw at the time. By 2005, as a Justice, Scalia seemed to have grown much more worried about those risks. Also unclear is whether the convention would need a supermajority of states or delegates to propose amendments. Congress may only propose constitutional amendments by a two-thirds vote in each chamber, but Article V is silent on whether a simple majority vote in a constitutional convention would suffice. With the country closely divided on many issues, a simple majority requirement could allow amendments to move forward despite opposition from many or even most voters, especially if all states had equal votes in the convention. Another critical question is how states would choose their delegations. Finally, even assuming Congress sets ground rules for a convention, the convention itself could disregard those instructions once it convened; after all, there is no enforcement mechanism. Instead it wrote an entirely new governing document, effectively abolishing the Articles of Confederation and superseding them with a new design of government. Further, the opportunity to bypass Congress and write major policy changes into the Constitution “where they would be extremely difficult to remove” would likely tempt powerful, well-funded interest groups to influence the process and press for changes beyond those initially envisioned. No one can predict with confidence what would happen, for example, if Wall Street concerns sought to ban the taxation of capital income or prohibit market regulations designed to prevent another financial crisis, or if energy companies sought to ban a carbon tax or a cap-and-trade system. In such a highly contentious political environment, delegates could cut deals resulting in amendments covering multiple topics. Although most constitutional amendments have addressed only a single issue, nothing in Article V requires this. The Fifth, Sixth, Eighth, and Fourteenth Amendments all combined provisions on several different subjects. Further, the broad language of several state resolutions enacted recently may increase the likelihood that a convention would enact sweeping and unforeseen changes. Even if Congress called a convention for the purpose of proposing a balanced budget amendment only, the convention once called could use the passage of these broader resolutions as justification to pursue a broader agenda, especially if more states have passed the more expansive resolution by the time a convention is called. In sum, there is no way to predict what constitutional amendments the delegates to a convention might adopt. Rhode Island, which opposed the kinds of changes that the convention was called to propose, declined to send delegates to the convention, apparently confident that the requirement for unanimous state approval meant it could block any resulting proposals that harmed its interests. Rhode Island opposed the new Constitution and resisted ratifying for several years. Eventually, however, left only with the choice of seceding or going along, it was forced to succumb. The current three-quarters requirement was imposed only for later constitutional amendments. This suggests that a new convention could propose to alter Article V of the Constitution, which requires three-quarters of the states to ratify proposed constitutional amendments emerging from a convention. A new convention could, for example, provide that its amendments be considered ratified if approved by two-thirds of the states, or even by a national referendum, citing the precedent of the convention. This makes it unlikely that the courts or any other institution could intervene if a convention failed to limit itself to the language of state resolutions calling for a convention or to the congressional resolution establishing the convention. Moreover, even if the courts

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determined that they had the authority to rule, they would be unlikely to intervene if a convention veered away from its original charge. Article V contains only two limited restrictions on the scope of constitutional amendments one of which expired two centuries ago.

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Chapter 6 : What was the outcome of the Constitutional Convention

The Constitution was written during the summer of in Philadelphia, Pennsylvania, by 55 delegates to a Constitutional Convention that was called ostensibly to amend the Articles of Confederation (), the country's first written constitution. The Constitution was the product of political compromise.

Those with sufficient foresight saw this with ease, and were looking for a way to produce a national government that would be more than the virtually powerless government the United States currently had. So it was in September that a conference was called to discuss the state of commerce in the fledgling nation. The national government had no authority to regulate trade between and among the states. The conference was called to discuss ways to facilitate commerce and establish standard rules and regulations. The conference was called by Virginia, at the urging of one of its great minds of the time, James Madison. Madison had designs on doing more than just discussing commerce, but his hopes were dashed when he arrived at the conference. Only five of the 13 states sent any delegates at all Delaware, New Jersey, New York, Pennsylvania, and Virginia , and of those, only three Delaware, New Jersey, and Virginia had enough delegates to speak for their states. Unable to do much of anything, the people who were there sat down and talked amongst themselves. The group consisted of some of the great political minds of the time; besides Madison, Alexander Hamilton, George Read, and Edmund Randolph. Most were dissatisfied with the current system of government. The delegates decided that another conference, "with more enlarged powers" meet in Philadelphia the following summer to "take into consideration the situation of the United States, to devise such further provisions as shall appear to them necessary to render the constitution of the Federal Government adequate to the exigencies of the Union. The entire report of the Annapolis Conference is available. Congress approved the plan to hold another, more sweeping conference on February 21, The wheels were now in motion, though few had any inkling of the momentous changes that were about to come. He arrived in Philadelphia for the Convention almost two weeks early so that he could start thinking about what he wanted the Convention to accomplish. From his point of view, there were a few main problems with the Confederation. He believed that the Confederation was giving too much emphasis to state sovereignty and not enough to a national focus on consistent and fair policy and the upholding of natural rights. In a republic, the people are the ultimate power, and the people transfer that power to representatives. As in the United States today, the people would elect their representatives to govern. This was in contrast to the Confederation model of the time, when the states appointed members of Congress. His vision included separate authorities with separate responsibilities, allowing no one to control too much of the government; and a dominant national government, curbing the power of the states. They hammered out the details of what became known as the Virginia Plan. Sherman and the Connecticut Great Compromise Most of the debate in the first few weeks concerned the revision of the Virginia Plan. The Plan "corrected" the inequality that the "one state, one vote" notion inflicted upon the large states and those, like the Southern states, that hoped to be large soon. Most of the details could certainly be worked out. Issues like fugitive slaves, export taxes, and import taxes were minor, when compared to the really big issue facing the Convention: Quite frankly, the small states would never agree to a purely representational form of government. They foresaw the annexation of small, ineffective states as the populations of the large states continued to grow and their influence waned. Some, like the Delaware delegation, were instructed to leave the Convention if equal suffrage in the legislature was compromised. Large states felt the equal suffrage system to be inherently unfair, and were going to do everything they could to abolish it. Today, a conflict between the big and small states seems odd. Conflicts between states are now generally regional and regardless of size. But at the Convention, size, or anticipated size, was one big dividing line. The intensity of feelings of the two sides were surprises to the others - Madison and the Big State faction thought the inequality of equal suffrage to be so patently unfair that the small states would naturally accede. The small states, used to the status quo, were surprised at how forceful the big states were about

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proportionality, seeing that the Congress had operated so long under the equal suffrage rule. The subject of suffrage in the houses of the legislature proposed in the prevailing Virginia Plan came to a debate on June 9, Threats to dissolve the Convention, and, indeed, the Union, flew from one side of the issue to the other. Fortunately, when the convention adjourned that day, it did so on a Saturday evening, allowing heads to cool and deals to be made that Sunday for presentation to the Convention on Monday. On June 11 , Roger Sherman of Connecticut rose on the floor and proposed:

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Chapter 7 : Constitutional Convention | History & Compromises | calendrierdelascience.com

Among the first orders of business was electing George Washington president of the Convention and establishing the rules--including complete secrecy concerning its deliberations--that would guide the proceedings.

The Constitutional Convention of The Issues: Why was the Convention called? Did it do what it was expected to do? Who were the major players at the Convention? What were the key compromises that were made in Philadelphia? Introduction By , Americans recognized that the Articles of Confederation, the foundation document for the new United States adopted in , had to be substantially modified. The Articles gave Congress virtually no power to regulate domestic affairs--no power to tax, no power to regulate commerce. Without coercive power, Congress had to depend on financial contributions from the states, and they often time turned down requests. Congress had neither the money to pay soldiers for their service in the Revolutionary War or to repay foreign loans granted to support the war effort. In , the United States was bankrupt. Moreover, the young nation faced many other challenges and threats. States engaged in an endless war of economic discrimination against commerce from other states. Southern states battled northern states for economic advantage. The country was ill-equipped to fight a war--and other nations wondered whether treaties with the United States were worth the paper they were written on. On top of all else, Americans suffered from injured pride, as European nations dismissed the United States as "a third-rate republic. In Rhode Island called by elites "Rogue Island" , a state legislature dominated by the debtor class passed legislation essentially forgiving all debts as it considered a measure that would redistribute property every thirteen years. The final straw for many came in western Massachusetts where angry farmers, led by Daniel Shays, took up arms and engaged in active rebellion in an effort to gain debt relief. Troubles with the existing Confederation of States finally convinced the Continental Congress, in February , to call for a convention of delegates to meet in May in Philadelphia "to devise such further provisions as shall appear to them necessary to render the constitution of the Federal Government adequate to the exigencies of the Union. Few people claim to be anti-liberty, but the word "liberty" has many meanings. Should the delegates be most concerned with protected liberty of conscience, liberty of contract meaning, for many at the time, the right of creditors to collect debts owed under their contracts , or the liberty to hold property debtors complained that this liberty was being taken by banks and other creditors? Convention in Philadelphia The room in Independence Hall formerly the State House in Philadelphia where debates over the proposed Constitution took place photo by Doug Linder On May 25, , a week later than scheduled, delegates from the various states met in the Pennsylvania State House in Philadelphia. Among the first orders of business was electing George Washington president of the Convention and establishing the rules--including complete secrecy concerning its deliberations--that would guide the proceedings. Several delegates, most notably James Madison, took extensive notes, but these were not published until decades later. The main business of the Convention began four days later when Governor Edmund Randolph of Virginia presented and defended a plan for new structure of government called the "Virginia Plan" that had been chiefly drafted by fellow Virginia delegate, James Madison. The Virginia Plan called for a strong national government with both branches of the legislative branch apportioned by population. The plan gave the national government the power to legislate "in all cases in which the separate States are incompetent" and even gave a proposed national Council of Revision a veto power over state legislatures. Delegates from smaller states, and states less sympathetic to broad federal powers, opposed many of the provisions in the Virginia Plan. Charles Pinckney of South Carolina asked whether proponents of the plan "meant to abolish the State Governments altogether. The New Jersey Plan kept federal powers rather limited and created no new Congress. Instead, the plan enlarged some of the powers then held by the Continental Congress. Paterson made plain the adamant opposition of delegates from many of the smaller states to any new plan that would deprive them of equal voting power "equal suffrage" in the legislative branch. Over the course of the next three months, delegates worked out a series of compromises between the

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competing plans. Most importantly, perhaps, delegates compromised on the thorny issue of apportioning members of Congress, an issue that had bitterly divided the larger and smaller states. Under a plan put forward by delegate Roger Sherman of Connecticut "the Connecticut Compromise" , representation in the House of Representatives would be based on population while each state would be guaranteed an equal two senators in the new Senate. By September, the final compromises were made, the final clauses polished, and it came time to vote. In the Convention, each state--regardless of its number of delegates-- had one vote, so a state evenly split could not register a vote for adoption. In the end, thirty-nine of the fifty-five delegates supported adoption of the new Constitution, barely enough to win support from each of the twelve attending state delegations. Rhode Island, which had opposed the Convention, sent no delegation. Following a signing ceremony on September 17, most of the delegates repaired to the City Tavern on Second Street near Walnut where, according to George Washington, they "dined together and took cordial leave of each other.

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Chapter 8 : What Was The Purpose Of The Constitutional Convention

The convention was divided over the issue of state representation in Congress, as more populated states sought proportional legislation, and smaller states wanted equal representation.

Who was at the Constitutional Convention? Rhode Island did not send a delegate. Thomas Jefferson and John Adams were not there because they were serving the country abroad, but they sent letters encouraging the delegates. Patrick Henry did not attend because he "smelt a rat" that the convention, which was purportedly only to revise the Articles of Confederation, would instead write an entirely new document creating a strong federal government "tending toward the monarchy. Where was the Constitutional Convention? This building is now known as Independence Hall. What was the Constitutional Convention? Officially, the purpose of the convention was to revise the Articles of Confederation. Many feel that this was a drastic understatement, and that the real goal of many of its key proponents was to replace the Articles of Confederation and create a strong federal government. The result of the convention was the U. Constitution, which was signed by 38 delegates on the final day of the convention, and ratified by most of the states during the following year. The key issues regarded Congressional representation and slavery. The "Great Compromise" was a bicameral legislature -- two houses of Congress where the states would have equal representation in the Senate, but proportional representation in the House of Representatives. Regarding slavery, Congress did not have the power to abolish slavery but would get the power to end the slave trade beginning in 1808. George Washington was unanimously elected president of the convention. Benjamin Franklin was considered the sage of the convention, the elder statesman who helped calm tempers and bring about the compromises. In the summer of 1787, in Philadelphia, Pennsylvania, some of the most important decisions in the history of the United States were made. During this time, the Philadelphia or Constitutional Convention was held; a secret meeting that hosted 55 delegates from twelve of the thirteen colonies excluding Rhode Island where they discussed and eventually derived the Constitution in order to replace the preceding Articles of Confederation because of their weakness of federal power. The Pennsylvania State House, currently known as Independence Hall, had become the center of debate for nearly four months. In the summer of 1787, the Constitutional Convention hosted a committee of delegates from the 13 colonies appointed to write the constitution. Delegates from all thirteen colonies were invited to this meeting to discuss the Articles of Confederation and how it could be strengthened. Instead of following the original idea of strengthening the Articles of Confederation, the Philadelphia Convention quickly turned into a complete abandonment of the Articles and took up the creation of the Constitution. The Constitutional Convention, or the Philadelphia Convention was taken place in 1787. It was a group of people known as delegates; including George Washington, James Madison, Thomas Jefferson, and Alexander Hamilton, addressing the problems of governing the United States. In the summer of 1787, in Philadelphia, Pennsylvania, some of the most important decisions in the history of the United States were made. During this time, the Philadelphia or Constitutional Convention was held; a secret meeting that hosted 55 delegates from twelve of the thirteen colonies excluding Rhode Island where they discussed and eventually derived the Constitution in order to replace the preceding Articles of Confederation because of their weakness of federal power. The Pennsylvania State House, currently known as Independence Hall, had become the center of debate for nearly four months.

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Chapter 9 : Constitutional Convention (United States) - Wikipedia

To clarify the events of the Constitutional Convention, Gordon Lloyd has organized the convention into four parts—a four part drama.

James Madison and others met with George Washington at Mount Vernon in 1787, to discuss commercial issues relating to Virginia and Maryland. One recommendation from that meeting was to convene a group of delegates from the states to discuss alterations of the Articles. Two ground rules would govern the convention proceedings. First, all deliberations were to be kept secret. Second, no issue was to be regarded as closed and could be revisited for debate at any time. It opened eleven days later than planned because of the slow arrival of some delegates. All of the states were represented except for Rhode Island, which declined to attend. Washington, noted for his patience and fairness, was selected as the presiding officer. In all, 55 delegates attended. Though often regarded as great sages by later generations, the delegates were largely lawyers, merchants, and planters who represented their personal and regional interests. What was remarkable, however, was the degree to which the delegates managed to subordinate those interests at crucial times in order to reach a series of compromises. Many were experienced in colonial and state government, and others had records of service in the army and in the courts. Eight had signed the Declaration of Independence and 17 were slave owners. The stated goal of the Convention—the revision of the Articles of Confederation—was quickly discarded, and attention given to more sweeping changes. Discussion turned instead to two competing concepts of how a new government should be formed, the Virginia Plan and the New Jersey Plan. The Virginia Plan was favored by the big states. It envisioned a bicameral legislature with both houses having membership proportional to population. The New Jersey plan was favored by the small states. The impasse was resolved by the Connecticut Compromise, which split the difference. The upper house Senate would have equal representation from each state. The lower house House of Representatives would allocate membership in proportion to population. Although not present in Philadelphia, Thomas Jefferson kept abreast of developments from his post in Paris and corresponded regularly with acquaintances in Congress and at the convention. One of the points he strove to make was the need for an independent executive, to attend to the details that the Congress was incapable of handling. The delegates considered whether the legislature should be elected directly by the people or by the state legislatures. The usual arguments against allowing too great an influence from an unsophisticated electorate were met by George Mason, who observed that legislatures were subject to improper pressures, and Madison, who argued that at least one of the two bodies should be elected directly. This became the compromise position. In determining the population which, in turn, would determine the number of members each state would have in the House of Representatives, the question of slaves was considered. No one suggested that slaves should vote, and the free states argued that they should not be counted at all. The slaveholding states, on the other hand, felt that free and slave should all be counted. The final compromise was to make the House depend on the free population plus three fifths of the slaves. At one point, Elbridge Gerry of Massachusetts observed to the delegates that if they admitted too many Western states, they would eventually "oppress our commerce and drain out wealth into the Western country. In response, Sherman retorted that there was no probability that the new Western states would ever outnumber the original thirteen. The finished Constitution has been referred to as a "bundle of compromises. The Framers of the Constitution had gone far beyond revising the Articles of Confederation. By conferring extensive new powers, the Convention gave the federal government full power to levy taxes, borrow money, establish uniform duties and excise taxes, coin money, fix weights and measures, grant patents and copyrights, set up post offices, and build post roads. The national government also had the power to raise and maintain an army and navy and to regulate interstate commerce. It was given the management of Indian affairs, foreign policy and war. It could pass laws for naturalizing foreigners and controlling public lands, and it could admit new states on a basis of absolute equality with the old. The power to pass all necessary and proper laws for

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executing these clearly defined powers, enabled the federal government to meet the needs of later generations and of a greatly expanded body politic. On the final day, Benjamin Franklin acknowledged that there were parts of the proposed constitution that were not to his liking, but also noted that he had been obliged at times in his life to change what he had considered to be a settled opinion. He urged all the delegates to lay aside any reservations they felt and sign the document with him. At the end of three and a half months, 38 of the 55 delegates signed the document and adjourned to the City Tavern for libations and a final dinner. The Constitution was conveyed to the Congress, which, in turn, decided to pass the matter along to the states for ratification.