Constitutional Convention, 1787

Absences:

- John Adams & Thomas Jefferson were in France
- Thomas Paine was in England
- Samuel Adams and John Hancock were not invited
- Patrick Henry refused to attend
- [https://www.youtube.com/watch?v=_JDF0WWW13A](https://www.youtube.com/watch?v=_JDF0WWW13A)

Benjamin Franklin was 81, the oldest delegate at the Constitutional Convention.

Franklin’s body had not stayed as young as his mind. He suffered from gout and from bladder stones. Franklin was carried to and from the Convention everyday in a sedan chair.
Soon after the meeting began, the delegates decided to do more than revise the Articles of Confederation.

They chose instead to write an entirely new constitution for the nation.

They disagreed (of course!) about what form the national government should take.
Edmund Randolph and James Madison, both from Virginia, proposed a plan for the new government.

The Virginia Plan called for a strong national government with three branches.
Virginia Plan – Based on Population

Few representatives = RHODE ISLAND
Little power in government

Small population

Many representatives = VIRGINIA
Big power in government

Large population

HMMMMMMM.... The Virginia Plan sounds fair, right?
The Virginia Plan also included two Houses of Representatives (no Senate).

Federal Government

- Legislative Branch
  - "Congress"
  - Creates and passes the laws

- Executive Branch
  - Carries out the laws

- Judicial Branch
  - Decides if laws are fair

The amount of representatives from each state was based on POPULATION.
IT WAS NOT FAIR TO THE SMALLER STATES BECAUSE VIRGINIA WITH A LARGER POPULATION WOULD HAVE A BIGGER SAY IN THE GOVERNMENT.

IT STARTED IN 1787 IT WAS A FAIR AND EQUAL PLAN
• Small states HATED the Virginia Plan.
• They feared that the large states could easily outvote them in Congress.
• Supporters of the Virginia Plan said it was only fair for a state with more people to have more representatives.

The New Jersey Plan

• But another state proposed a different plan.
• Like the Virginia Plan, the New Jersey Plan called for 3 branches of government, but it called for only one house.

• Each state regardless of their population, would have
The New Jersey Plan sounds the same as the Articles of Confederation, right?
The NEW JERSEY Plan called for ONE House of Representatives.

Federal Government

- Legislative Branch “Congress” Creates and passes the laws -
- Executive Branch Carries out the laws -
- Judicial Branch Decides if laws are fair -

House Representatives #1

House Representatives #2

Every state, regardless of population, would receive two representatives.
Agreement, Disagreement, and Compromise

• No one could agree on what the new government would LOOK like

• Compromise – an agreement where each side settles to make each other happy.

• The Great Compromise
  — A compromise between the Virginia Plan and New Jersey Plan

**Virginia Plan:**
- Two house legislature (bicameral)
- Representation to Congress based on population
- Supported by larger states

**New Jersey Plan:**
- One house legislature (unicameral)
- Equal representation in Congress
- Supported by smaller states who feared losing power in federal the federal government
Here’s how Sherman’s plan would work in the case of Pennsylvania (pop. 434,373) and of Delaware (pop. 59,096):

By compromising—each side “shaving” some demands in order to reach agreement—the Convention was saved: a valuable lesson!

https://www.brainpop.com/socialstudies/ushistory/constitutionalconvention/

OR

https://www.youtube.com/watch?v=kCCmuftyj8A (:00 – 3:55)
Senate = 2 per state

House of Representatives = # based on population
Constitutional Convention Puzzle

Which of the following should replace the question mark in this diagram?

A  Direct democracy
B  Great Compromise
C  Checks and balances
D  Missouri Compromise
Agreement, Disagreement, and Compromise

Now came the challenge of **slaves** – how were they to be counted?

**Three-Fifths Compromise**

— A compromise between the Northern and Southern states on how slaves should be counted.

Southern delegates wanted slaves to count as people because MORE congressmen would represent their states.

Count slaves as people + More congressmen = the power to influence votes in the South’s favor.

Before we continue on, let’s do a quick overview on slavery: https://www.youtube.com/watch?v=3NXC4Q_4JVg (:00 – 1:18)
Agreement, Disagreement, and Compromise

Three-Fifths Compromise

Northern delegates called this “Southern idea”:

- UNFAIR
- INCONSISTENT – slaves were always considered property and not as people

Northern States:
- Opposed counting slaves as population to determine representation in the House of Reps.
- Favored counting slaves for the purpose of determining taxation
Once again the delegates compromised. They agreed that $\frac{3}{5}$ of the slaves in any state would be counted.

If a state had 5,000 slaves then 3,000 would be included in the state’s population.

This became known as the Three-Fifths Compromise.
Southern States:
- Wanted slaves counted as population to determine representation in the House of Reps.
- Opposed counting slaves for the purpose of determining taxation

Northern States:
- Opposed counting slaves as population to determine representation in the House of Reps.
- Favored counting slaves for the purpose of determining taxation

THE 3/5ths COMPROMISE:
- $\frac{3}{5}$ of slaves counted as population in determining representation to the House of Representatives
- $\frac{3}{5}$ of slaves would be counted for the purpose of determining taxation

https://www.youtube.com/watch?v=kCcmuftyj8A (3:55 – 5:05)

FREE PERSONS \[=\] SLAVES

TAXATION AND REPRESENTATION
### 1790 Census Data

<table>
<thead>
<tr>
<th>State</th>
<th>Free Persons</th>
<th>Total Slave Population</th>
<th>Three-Fifths of the Slave Population</th>
<th>Total Population for Representation</th>
</tr>
</thead>
<tbody>
<tr>
<td>New Hampshire</td>
<td>141,727</td>
<td>158</td>
<td>95</td>
<td>141,822</td>
</tr>
<tr>
<td>Massachusetts and Maine</td>
<td>475,327</td>
<td>0</td>
<td>0</td>
<td>475,327</td>
</tr>
<tr>
<td>Rhode Island</td>
<td>67,877</td>
<td>948</td>
<td>569</td>
<td>68,446</td>
</tr>
<tr>
<td>Connecticut</td>
<td>235,182</td>
<td>2,764</td>
<td>1,658</td>
<td>236,840</td>
</tr>
<tr>
<td>New York</td>
<td>318,796</td>
<td>21,324</td>
<td>12,794</td>
<td>331,590</td>
</tr>
<tr>
<td>New Jersey</td>
<td>172,716</td>
<td>11,423</td>
<td>6,584</td>
<td>179,570</td>
</tr>
<tr>
<td>Pennsylvania</td>
<td>430,636</td>
<td>3,737</td>
<td>2,242</td>
<td>432,878</td>
</tr>
<tr>
<td>Delaware</td>
<td>50,207</td>
<td>8,887</td>
<td>5,332</td>
<td>55,539</td>
</tr>
<tr>
<td>Maryland</td>
<td>216,692</td>
<td>103,036</td>
<td>61,822</td>
<td>278,514</td>
</tr>
<tr>
<td>Virginia and Kentucky</td>
<td>516,230</td>
<td>305,057</td>
<td>183,034</td>
<td>699,264</td>
</tr>
<tr>
<td>North Carolina</td>
<td>293,179</td>
<td>100,572</td>
<td>60,343</td>
<td>353,522</td>
</tr>
<tr>
<td>South Carolina</td>
<td>141,979</td>
<td>107,094</td>
<td>64,256</td>
<td>206,235</td>
</tr>
<tr>
<td>Georgia</td>
<td>53,284</td>
<td>29,264</td>
<td>17,558</td>
<td>70,842</td>
</tr>
</tbody>
</table>
Why didn’t the Founding Fathers just abolish slavery from the start?????

**Economic Reasons**

- **Would end a cheap labor supply**: Slaves worked for free (cheap labor). Ending it would harm the southern and US economy.
- **Less Profit**: Southern plantation owners wouldn’t make a large profit if they had to pay their slaves.

**Social Reasons**

- **Racism**: Many of the Founding Fathers were slave owners and had difficulty seeing a society where blacks were equal to whites.
- **The South threatened to leave**: The southern states threatened to leave the union if slavery became abolished.
<table>
<thead>
<tr>
<th>Slaveholders</th>
<th>Non-Slaveholders</th>
</tr>
</thead>
<tbody>
<tr>
<td>Founding Father</td>
<td>State</td>
</tr>
<tr>
<td>Charles Carroll</td>
<td>Maryland</td>
</tr>
<tr>
<td>Samuel Chase</td>
<td>Maryland</td>
</tr>
<tr>
<td>Benjamin Franklin</td>
<td>Pennsylvania</td>
</tr>
<tr>
<td>Button Gwinnett</td>
<td>Georgia</td>
</tr>
<tr>
<td>John Hancock</td>
<td>Massachusetts</td>
</tr>
<tr>
<td>Patrick Henry</td>
<td>Virginia</td>
</tr>
<tr>
<td>John Jay</td>
<td>New York</td>
</tr>
<tr>
<td>Thomas Jefferson</td>
<td>Virginia</td>
</tr>
<tr>
<td>Richard Henry Lee</td>
<td>Virginia</td>
</tr>
<tr>
<td>James Madison</td>
<td>Virginia</td>
</tr>
<tr>
<td>Charles Cotesworth Pinckney</td>
<td>South Carolina</td>
</tr>
<tr>
<td>Benjamin Rush</td>
<td>Pennsylvania</td>
</tr>
<tr>
<td>Edward Rutledge</td>
<td>South Carolina</td>
</tr>
</tbody>
</table>