The Constitutional Convention

- In Feb. 1787, following Shay's Rebellion, the Confederation Congress endorsed the idea of a convention to modify the Articles of Confederation
- One of the first questions to addressed (before the convention met) was the form of government
- **The question of republicanism**
  - Most agreed a republican form of government was best, but question became which version of republicanism
    - **Greek Republicanism**
      - only republics small in size and were homogeneous in population could succeed
      - citizens must be willing to sacrifice their own private interests for the good of the whole
      - government run by a natural aristocracy, men whose rank was based on merit rather than inherited wealth or family status
      - even the Greeks did not believe in ability of this type to succeed
    - **Republicanism based on self-interest**
      - put forth by members of economic elite and skilled craftsmen
      - emphasized that individuals should pursue rational self-interest
      - by pursuing self-interest, men would improve not only their own economic and social circumstances, but those around them would also benefit
      - dismissed the notion of subordinating private interests to a communal ideal
    - **Egalitarian Republicanism**
      - sought a government that represented all the people
      - felt that the elite did not usually speak or respond to the needs of the majority
      - wanted widespread participation in political activity
  - All three versions emphasized the need for people to be virtuous and work hard as individuals

- The constitutional convention begins
  - Twelve states (all except Rhode Island) sent delegates to the convention
  - The 55 men mainly represented the elite of their states--men of property and wealth
    - included merchants, planters, lawyers, and former government officials
    - most had significant education--over half had attended college
    - Most of the men were in their middle years, the oldest was Ben Franklin at 81.
- The bulk of the work performed by about a dozen men, led by James Madison
  - Madison prepared for the convention by reading hundreds of books on history and political science
  - Prepared a critique of the government under the Articles of Confederation
• **Opposing plans for a Constitution**
  - Virginia Plan
    - most likely drafted by Madison, but presented by Gov. Edmund Randolph of Virginia
    - Called for a republic as form of government
    - Structure would consist of a bicameral legislature (one house elected by popular vote, the other by the first house), an executive elected by Congress, and a national judiciary
      - National government had the power to nullify any state laws
    - Many believed the Virginia plan gave too much power to national government
  - New Jersey plan basically made modifications of the existing Articles of Confederation
    - left representation equal among the states
    - gave Congress more power over trade and taxation
    - rejected by the delegates
• **Working out the Great Compromise** (aka Connecticut Compromise)
  - representation--proportional or equal by state
  - who would elect each house--popular for House, state legislature for Senate
  - slavery
    - is slavery mentioned in the Constitution?
    - how would slaves be counted regarding proportional representation
    - would slavery be protected
    - Congress couldn’t outlaw slave trade for 20 years
    - Congress was required to protect slavery against interference
    - Separation of powers
  - three branches--executive, legislative, judicial
    - of the three, the legislative had most power
    - judiciary weakest
    - system of checks and balances between branches
• In September 1787, delegates met and approved the draft of the constitution
  - several voted against it
  - main opposition--diluted the states' powers and lacked a bill of rights
  - Constitution would be ratified when 9 states approved it
Who participates in new system, who doesn't

- White males--must be property holders or pay taxes
- Females
  - primary function to be good wives and mothers
  - seen as self-sacrificing -- charitable work okay for them
  - Discuss Abigail Adams' letters
  - role of women in society begins to undergo a significant change during this era--they begin to disappear from public view
- African Americans
  - growth of emancipation movement in North
  - finally, late 1780s, northern states begin to allow emancipation (usually gradual)
  - even after emancipated, many not allowed to participate economically or politically
  - riots against free blacks took place in some cities, especially Philadelphia
  - free blacks began working to establish their own communities within the larger framework of where they lived
- Native Americans not even considered