

I. The Annapolis Convention (September, 1786)

- A. This was an effort by Virginia to have the states meet to discuss trade policy.
1. 1784-1788 depression caused by flood of European goods which the Confederation Congress was powerless to stop since it could not regulate trade.
 2. Domestic manufacturing had been stimulated during the War since normal commerce almost ceased. This continued after the war. The first American textile mill began production in Pawtucket, Rhode Island in 1793.
 3. Foreign trade patterns continued to shift towards the West Indies. Foodstuffs shipped to French and Dutch Caribbean Islands became the largest single export, replacing tobacco.
- B. Only five states attended so Hamilton proposed another convention in Philadelphia on May 25, 1787.
- C. *Shay's Rebellion* (January, 1787 - Massachusetts) convinced many that there were major problems that had to be solved in the Confederation

II. Constitutional Convention: In May 1787 fifty-five men representing all states but Rhode Island met at Independence Hall in Philadelphia. The meetings were secret.

- A. Delegates: Benjamin Franklin was the oldest at age 81. George Washington was chosen chairman. James Madison did the majority of the work and is called the "Father of the Constitution."
- B. The Missing: *Jefferson* and *Paine* were in France. *Samuel Adams* and *Hancock* were not elected from Massachusetts. *Patrick Henry* declined - he "smelled a rat."
- C. Purpose: Congress called this convention for the purpose of revising the Articles. But many of the delegates came to the conclusion that the Articles could not be fixed and needed to be replaced.
- D. Dilemma: Framers of the Constitution had a basic dilemma. They believed that power to rule ultimately came from the people yet they feared and distrusted the common man and hesitated to entrust him with power. Hamilton said "All communities divide themselves into the few and the many. The first are the rich and wellborn, the other the mass of the people... The people are turbulent and changing; they seldom judge or determine right."

III. GREAT COMPROMISE: Attempt to settle the problem of how representation would be determined and apportioned.

- A. The Virginia Plan (large state plan) was introduced by *Edmund Randolph* but it was the idea of *James Madison*. This plan was favored by the states with large populations.

1. It provided for a two-house legislature, one elected by the people and one selected by the first. Each house would have proportional representation. (by population)
2. The executive would be elected by Congress.
3. There would be a national judiciary.

B. The New Jersey Plan (small state plan) was introduced by *William Patterson* and backed by those who felt the Virginia Plan went too far toward national consolidation. This was favored by the states with small populations.

1. This plan called for modifications in the Articles of Confederation. Patterson believed that the convention only had the authority to change the Articles, not write a new document.
2. It retained the unicameral legislature with equal representation for each state.
3. It gave the Congress new powers of taxation and trade regulation.

C. Solution: Great Compromise, also called the *Connecticut Compromise*, proposed by *Roger Sherman*. Bicameral Legislature called CONGRESS composed of the Senate (chosen by state legislatures) with equal representation and the House of Representatives with proportional representation. It was specified that appropriations bills must originate here.

IV. THREE-FIFTHS COMPROMISE

- A. Problem: Delegates from states with large numbers of slaves wanted them to be counted toward representation but not toward direct taxation. Delegates from non-slave holding states wanted only free whites to be counted for representation.

B. Solution

1. Three-fifths of the slaves would be included in the population totals for both representation and taxation.
2. Congress was prohibited from outlawing the foreign slave trade for at least 20 years. (*Georgia* and *South Carolina*, represented by *Rutledge*, asserted they would leave the Union if the slave trade were outlawed.
3. The fugitive slave clause required all states to return runaways to their masters.

V. ELECTORAL COLLEGE: established to elect the president. A Virginia delegate said "To leave the choice to the people was like asking a blind man to choose colors."

VI. SEPARATION OF POWERS

- A. Distribution of political power was among three branches: legislative, executive, and judicial.
- B. The system of *checks and balances* would prevent any one branch from becoming tyrannical but also sometimes made it difficult for the government to act quickly and decisively.

VII. FEDERALISM: Power was divided between two levels of government: federal and state. The line between national and state power would ultimately be decided by the Civil War.

VIII. SEPTEMBER 17, 1787: Signing of the Constitution. 42 Reps signed and 3 did not. The signers adjourned to the City Tavern to celebrate

IX. RATIFICATION

- A. The Ratification clause of the Constitution provided for the new system to take effect once it was approved by *special conventions* in at least *nine states*.
- B. Two sides began to develop. They debated through pamphlets and newspapers.
 - 1. Federalists backed the Constitution. Drew support from the moneyed, propertied, and seaboard merchants and shippers.
 - 2. Antifederalists opposed the Constitution. Some feared the threat to states' rights. Others wanted a bill of rights. They drew support from the poorer classes, debtors, soft-money men, backcountry people.
- C. The Federalist Papers: In New York, *James Madison*, *John Jay*, and *Alexander Hamilton* campaigned for ratification by publishing these 85 essays under the name of "Publius" which explained the theory behind the Constitution and responded to its critics. They also promised that a bill of rights would be added.
- D. By July 26, 1788 all states except Rhode Island had ratified the Constitution. *Delaware* was the first to ratify. *New Hampshire* was the ninth (June 21, 1788). Rhode Island finally ratified in 1790.