

# Lesson #4: Conflict & Compromises

- ❑ Virginia v. New Jersey Plans
- ❑ Grand Committee & Great (Connecticut Compromise)
- ❑ North / South Compromises
- ❑ Compromises Over the Presidency
- ❑ Federalists v. Anti-Federalists
- ❑ Bill of Rights & Ratification
- ❑ First Constitution (Articles) v. New Constitution

# CONFLICT AND COMPROMISE – ON THE ISSUE OF REPRESENTATION

## **The Virginia Plan (favored by more populous states)**

Representation in each house based on population and/or monetary contributions to the national government by the state

## **The New Jersey Plan (favored by small states)**

Representation in house would be equal among the states

## **•The Connecticut Compromise**

Created a bicameral (2 house)

- One house in which representation would be based on population – **only form of direct democracy in original Constitution for elected officials** (Virginia Plan = House of Reps) and in which all bills for raising or appropriating money (aka revenue bills) would originate
- Second house in which each state would have an equal vote (New Jersey Plan = Senate)

# THE GRAND COMMITTEE



Question facing the Convention: How to apportion representatives in the national legislature?

- Answer: Refer to a committee composed of one delegate from each of the eleven states that were present at that time at the Convention. The members of this **Grand Committee**, in its report to the Convention, offered a compromise.
- The large states had opposed the Connecticut Compromise, because they felt it gave too much power to the smaller states. The Grand Committee's proposal added the requirement that revenue bills originate in the lower house and not be subject to modification by the upper house (although this Origination Clause would later be modified so that revenue bills could be amended in the upper house, or Senate).

# VIRGINIA PLAN VS. NEW JERSEY PLAN

## (Large State Plan vs. Small State Plan)

Description	Virginia Plan	New Jersey Plan
Representation	Representation will be based on population (The bigger the population, the more representation)	Representation would be based on equality (meaning that all the states would have equal representation)
Legislative Branch	<p>Two Houses</p> <p>House of Representative will be voted by the people</p> <p>The Upper House (Senate) will be voted by the House of Rep from nominations by State Legislatures</p>	Continue the unicameral Congress of the Articles of the Confederation
Executive Branch	Chosen by the legislative branch	Chosen by Congress, but would have more than just one president. Have three presidents, one from each region of the U.S.
Judicial Branch	Chosen by the executive branch	Chosen by the executive branch

**Would either of these plans worked?**

# THE GREAT COMPROMISE

Representation will be different among the states. If a state has a large population, they get more representation. Smaller population, you get less representation.

Each state gets 2 senators each no matter how big the state population is.

Both sides couldn't agree with either plan, until both ideas were combined together.



Combining both plans together would create a two chamber (bicameral) house.

- The House of Representatives would be based on the Virginia Plan, meaning representation is based on state population.
- The Senate would be based on the New Jersey Plan and representation would be equally divided among the states.

# CONFLICT AND COMPROMISE – NORTH-SOUTH COMPROMISES

## Ratification of treaties

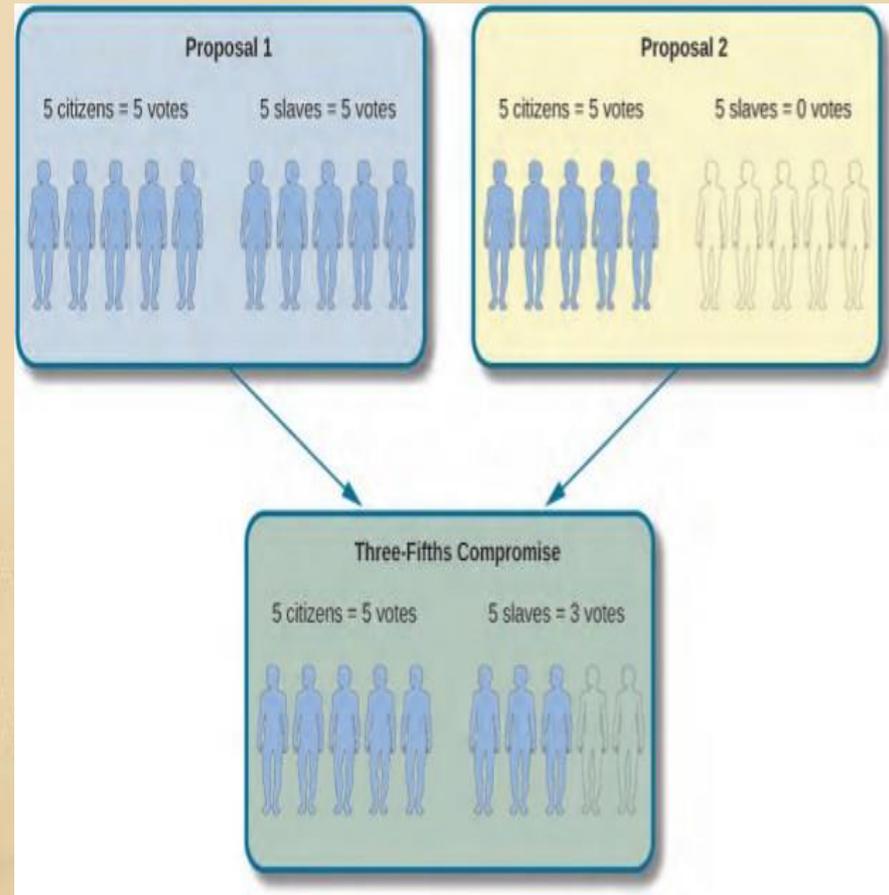
- Southern delegates insisted on a **two-thirds vote (supermajority)** in the Senate before presidents could ratify treaties

## Three-fifths Compromise

- Issue of counting slaves for representation in the House of Representatives
- For every five slaves, they would count as three people for representation in the House
- North happy because South has to pay more taxes
- South happy because they get more reps

## Slave Trade Compromise

- Forbidding Congress the power to tax the export of goods from any State, and, for 20 years, the power to act on the slave trade.



# SLAVERY ISSUE

<p>SOUTHERN STATES</p>  <p>I WANT SLAVES TO BE COUNTED FOR POPULATION SO WE CAN HAVE MORE REPRESENTATIVES IN COURT, BUT I DON'T WANT THEM TO COUNT FOR TAXES. THAT WAY WE CAN HAVE MORE REPRESENTATION THEN THE NORTHERN STATES AND STILL GET OFF THE HOOK FOR TAXES</p>	<p>THE 3/5 COMPROMISE</p> <p>TO MAKE IT FAIR FOR BOTH SIDES, 3/5 OF THE SLAVES IN A STATE WOULD BE COUNTED AS POPULATION AND TAXES.</p>	<p>NORTHERN STATES</p>  <p>I WANT SALVES TO BE COUNTED FOR TAXES, SINCE WE DONT HAVE MANY SLAVE UP HERE IN THE NORTH. THOUGH I DON'T WANT THEM TO COUNT FOR POPULATION BECAUSE THAT WOULD GIVE THE SOUTHERN STATES MORE POWER IN CONGRESS, AND WE DONT WANT TO BE OVER POWERER BY THE SOUTHERN STATES</p>
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## Slave Trade Compromise:

- **An agreement during the Constitutional Convention of 1787 protecting the interests of slaveholders by forbidding Congress the power to act on the slave trade for 20 years.**

# CONFLICT AND COMPROMISE: THE PRESIDENT

## Method of election:

- Some wanted election by Congress
- Some wanted election by state legislatures
- Some wanted direct election

## Compromise: Electoral College system; created for two reasons:

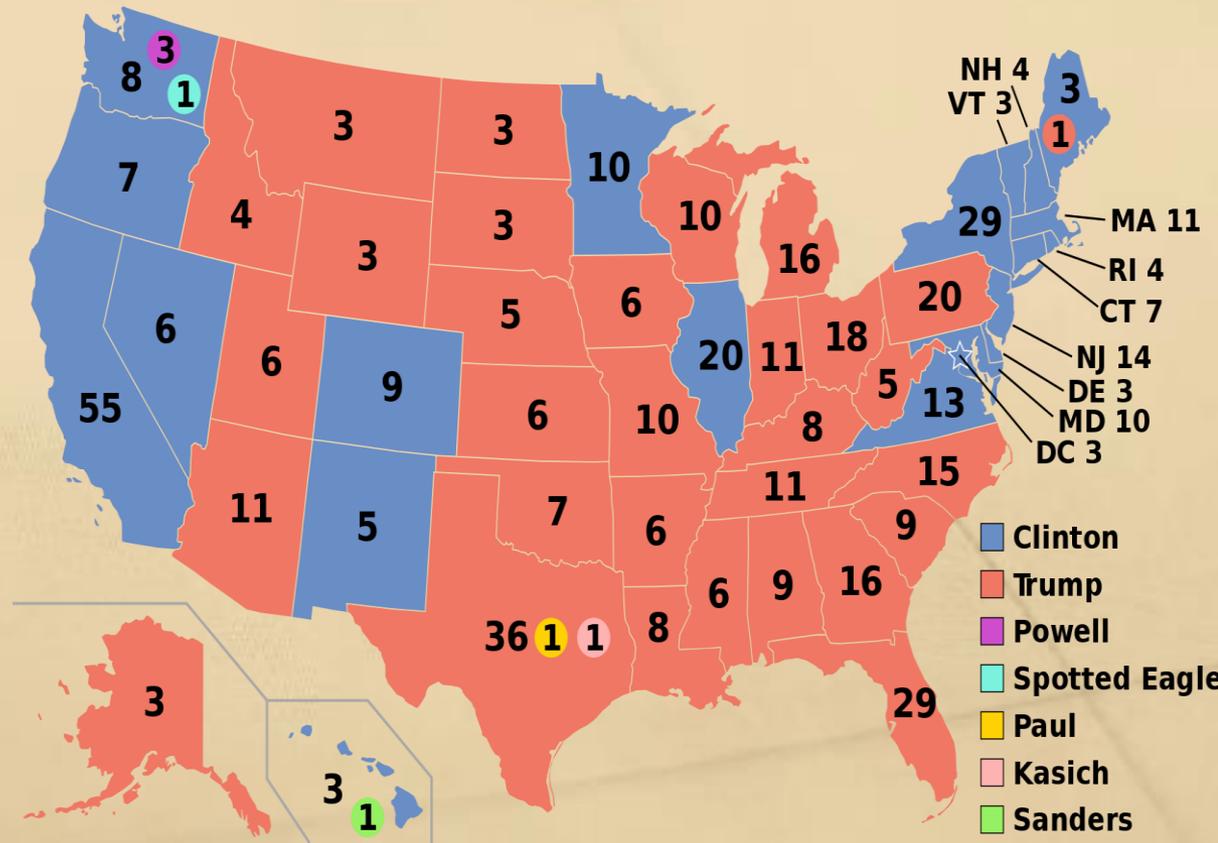
- **First** - Buffer between the people and the selection of a President
  - The founding fathers were afraid of direct election of presidency
  - Feared a tyrant could manipulate public opinion & come to power
- **Second** - Structure of the government that gave extra power to the smaller states
  - Small states had more power in selection of president
  - Under the system of the Electoral College each state had the same number of electoral votes as they have representative in Congress, thus no state could have less than 3 >> disproportionate power to the smaller states

# ELECTORAL COLLEGE

With Presidential Elections, the Founding Fathers believed that the average American was not well educated enough and couldn't trust them to elect a president.

Founders created the Electoral College, which created electors in each state (# House Members + 2 Senators = Number Electoral vote) will cast votes.

Popular helps elect the electors, but many Americans believe that their vote doesn't matter. Why?



# TO ADOPT OR NOT TO ADOPT? FEDERALISTS VS. ANTIFEDERALISTS

**Main debate was primarily about the scope of power of the central government**

- **The Federalists wanted a stronger national government and weaker state governments (balanced relationship between federal and state governments)**
- **The Anti-federalists wanted a weaker national government and stronger state governments**

## **Federalists Views:**

- **Elites most fit to govern**
- **Feared “excesses” of democracy**
- **Favored strong central government**

## **Antifederalists Views:**

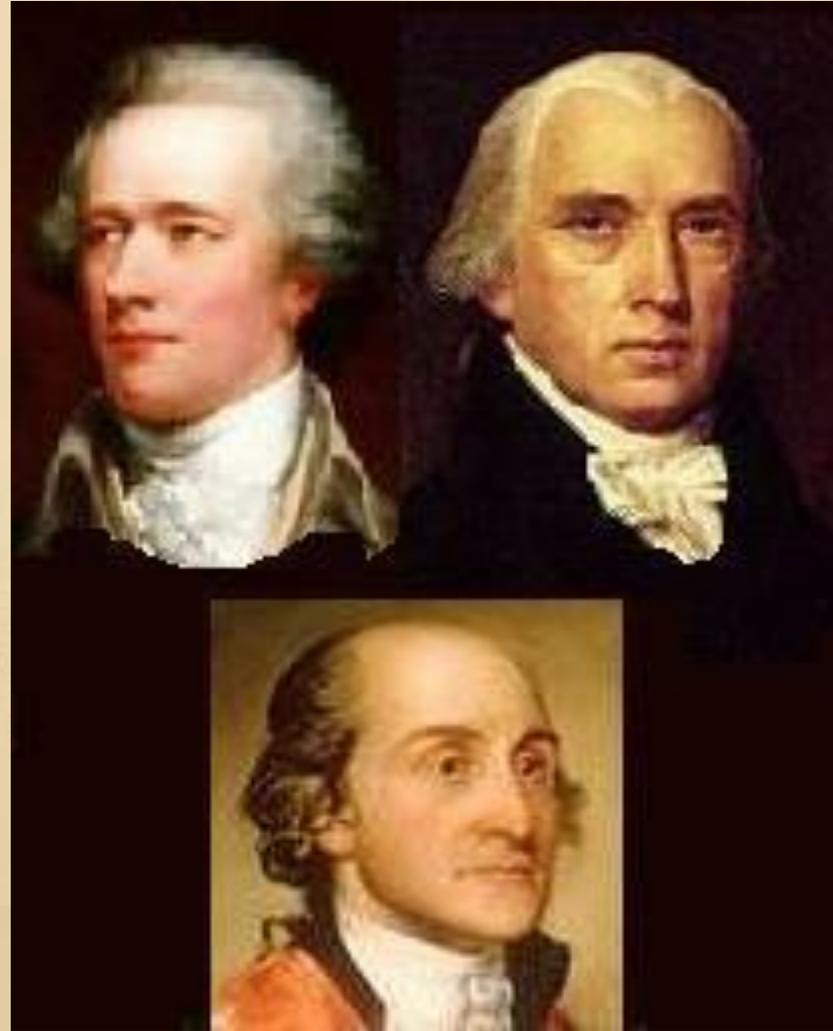
- **Feared concentration of power in hands of elites; Believed that government should be closer to the people**
- **Feared strong central government, favored stronger state governments**
- **Feared the lack of Bill of Rights (which would be added later to protect individual liberty) – their strongest argument**

**The *Federalist* essays (written by Alexander Hamilton, James Madison, and John Jay) helped the ratification process**

# Federalists Essays

Authored by: **Alexander Hamilton**, James Madison, and John Jay

- *Federalist #10*
  - factions
- *Federalist #51*
  - Checks and balances
- *Federalist #70*
  - Chief executive
- *Federalist #78*
  - National judiciary



# FEDERALISTS VS. ANTIFEDERALISTS



**Alexander  
Hamilton  
Federalist**



**Patrick  
Henry  
Anti-Federalist**

<b>Description</b>	<b>Federalist</b>	<b>Anti-Federalist</b>
<b>Leaders</b>	<b>James Madison, Alexander Hamilton, and John Jay</b>	<b>Patrick Henry, Richard Henry Lee and George Mason</b>
<b>Backgrounds</b>	<b>Large landowners, wealth merchants, and professionals</b>	<b>Smaller farmers, shopkeepers, and laborers</b>
<b>Government Preferred</b>	<ul style="list-style-type: none"> <li>• <b>Weaker state gov't</b></li> <li>• <b>Strong national gov't</b></li> <li>• <b>Indirect election of officials</b></li> <li>• <b>Longer terms</b></li> <li>• <b>Gov't by the elite</b></li> <li>• <b>Expected few violations of individual liberties</b></li> </ul>	<ul style="list-style-type: none"> <li>• <b>Strong state gov't</b></li> <li>• <b>Weak national gov't</b></li> <li>• <b>Direct election of officials</b></li> <li>• <b>Shorter terms</b></li> <li>• <b>Rule by the common man</b></li> <li>• <b>Strengthened protections for individual liberties</b></li> </ul>

# RATIFICATION – THE GREAT DEBATE

## BILL OF RIGHTS – THE FINAL COMPROMISE

At stake – individual rights and the role of the national government in economic development

### Federalists:

- Favored ratification of the Constitution
- Favored powerful federal government
- Saw Bill of Rights as unnecessary because federal powers were limited
- "The Federalist Papers"

### Anti-Federalists:

- Opposed ratification of the Constitution
- Wanted weak federal government that would not threaten states' rights
- Wanted Bill of Rights to declare and protect the rights of the people

### Ratification:

- ✓ Federalists promise addition of a Bill of Rights
- ✓ Ratification succeeded, new government formed 1789
- ✓ James Madison drafts 10 amendments to the Constitution (known as the U.S. Bill of Rights)

One of the many points of contention between Federalists, who advocated a strong national government, and Anti-Federalists, who wanted power to remain with state and local governments, was the Constitution's lack of a bill of rights that would place specific limits on government power. Federalists argued that the Constitution did not need a bill of rights, because the people and the states kept any powers not given to the federal government. Anti-Federalists held that a bill of rights was necessary to safeguard individual liberty.

Madison, then a member of the U.S. House of Representatives, altered the Constitution's text where he thought appropriate. However, several representatives, led by Roger Sherman, objected, saying that Congress had no authority to change the wording of the Constitution. Therefore, Madison's changes were presented as a list of amendments that would follow Article VII.

The House approved 17 amendments. Of these, the Senate approved 12, which were sent to the states for approval in August 1789. Ten amendments were approved (or ratified). Virginia's legislature was the final state legislature to ratify the amendments, approving them on December 15, 1791.

# Conflict Avoided by adding a Bill of Rights

## OVERALL VISION

**FEDERALISTS** wanted a strong central government and weak state governments

**ANTIFEDERALISTS** wanted power in the states, not the central government

### KEY FEDERALISTS

Benjamin Franklin  
Alexander Hamilton  
John Jay  
James Madison  
George Washington

### KEY ANTIFEDERALISTS

John Hancock  
Patrick Henry  
Richard Henry Lee  
George Mason  
Mercy Otis Warren

### FAVORED DOCUMENT

**FEDERALISTS**  
Constitution

**ANTIFEDERALISTS**  
Articles of Confederation

### BILL OF RIGHTS

**FEDERALISTS**

**ANTIFEDERALISTS**

Believed the Constitution **was** sufficient to protect individual rights

Believed the Constitution **was not** sufficient to protect individual rights

### SUPPORT

**FEDERALISTS**

**ANTIFEDERALISTS**



Largely in **URBAN** areas



Largely in **RURAL** areas

# Ratification

## Article VII

- ✓ Ratification of the Constitution required 9 of 13 states
  - ❖ To be legitimate, needed Virginia and New York
- ✓ Federalists and the Anti-Federalists
- ✓ Constitution will be ratified on June 21, 1788
- ✓ Delaware, Pennsylvania, New Jersey, Georgia, Connecticut, Massachusetts, Maryland, South Carolina, New Hampshire, Virginia, New York, North Carolina, Rhode Island

# HOW WOULD THIS NEW CONSTITUTION FIX THE OLD “CONSTITUTION”?

Madison was concerned that government would be controlled by majority or minority factions >> factions best controlled by a large republic

- **Minority can be suppressed by majority rule; Majority is more difficult to control**

Constitution is a supreme and binding law that both grants power to the government and limits the power of the government

# A Stronger National Government

## Articles Problems

- No power to tax
- No power to regulate interstate and foreign commerce
- No executive branch
- No judicial branch
- Amendments need unanimous consent
- Supermajority to pass laws

## Constitution Solution

- Lay and collect taxes
- Interstate and foreign commerce clause
  - No export taxes
- President
  - Electoral College
  - 4 year terms
- U.S. Supreme Court
- Article V – Amendments
  - 2/3 of both houses of Congress
  - ¾ of state legislatures
- Presentment Clause
  - Simple majority by both houses
  - President's signature