CONSTITUTION 101:
THE CONSTITUTIONAL CONVENTION
SCHOLAR EXCHANGE
Why did the founding generation decide to write a Constitution?

How did the U.S. Constitution differ from the Articles of Confederation?

What were some of the main compromises reached by the delegates at the Constitutional Convention?
SHAY’S REBELLION
The Preamble

Beginning with its famous words, "We the People," the Preamble expresses the founding generation’s commitment to popular sovereignty, meaning a national government driven by the American people.
Articles I through III
Establishes the three branches of government

- **Article I** gives us the legislative branch—Congress—tasked with making the laws.
- **Article II** lays out the executive branch—led by a single president—responsible for enforcing the laws.
- **Article III** outlines the judicial branch—with a Supreme Court as the nation’s highest court—with a duty to interpret the laws.
Articles IV through VII

- **Article IV** addresses the relationship between the states and their citizens, how to handle the admission of new states, and how to govern federal territories. (It also includes the infamous Fugitive Slave Clause.)
- **Article V** sets out the process for amending the Constitution.
- **Article VI** establishes the supremacy of national law over the laws of the states. It also bans religious tests for national office.
- **Article VII** sets out the process for ratifying the Constitution.
THE ARTICLES OF CONFEDERATION

“... league of friendship ...”
13 STATE GOVERNMENTS
THE PHILADELPHIA CONVENTION
May to September 17, 1787

“.. sole and express purpose of revising the Articles ...”

Pennsylvania State House
THE KEY COMPROMISES

• The Connecticut (Great) Compromise
• The Electoral College
• The Three-Fifths Compromise
• The Slave Trade Clause
Madison and Wilson supported a national legislature based on proportional representation.
The Virginia Plan

- Legislative branch consisting of two chambers.
- Each of the states would be represented in proportion to their size.
- The national legislature would have the power to address issues that were beyond the ability of any single state government to handle.
- The legislature could also veto state laws that it found to be against the national interest.
Delegates from smaller states, like Patterson of New Jersey, supported equal representation.
The New Jersey Plan

• A one-house legislature with each state—regardless of its size—receiving one vote.

• Expand the powers of the national government to address the needs of a growing nation.
Roger Sherman and Oliver Ellsworth of Connecticut proposed a compromise.
The Connecticut (Great) Compromise

• Congress would consist of two houses—a House of Representatives and a Senate.
• The House would be elected on the basis of proportional representation—giving larger states more seats than smaller states.
• At the same time, the Senate would be elected on the basis of equal representation, with each state—regardless of its size—receiving two Senators.
The Framers’ broader vision for Congress
Alexander Hamilton and John Dickinson favored a single, strong national executive.
Roger Sherman viewed the executive as “nothing more than an institution for carrying the will of the Legislature into effect.”
DEBATES OVER THE PRESIDENCY

• How to elect the president.
• How long the president’s term should be.
• Whether the president should be allowed to run for reelection.
• The question of impeachment and removal.
Options for Selecting the President

- Direct election by popular vote
- Selected by Members of Congress
- Electors selected by lottery
- An electoral college
The Electoral College

DEBATES OVER THE PRESIDENCY
The Three-Fifths Clause

Article I, Sect. II, Cl. 3:
Representatives and direct Taxes shall be apportioned among the several States which may be included within this Union, according to their respective Numbers, which shall be determined by adding to the whole Number of free Persons, including those bound to Service for a Term of Years, and excluding Indians not taxed, three fifths of all other Persons.
The Slave Trade Clause

Article 1, Section 9, Clause I:
Congress is limited, expressly, from banning the “Importation” of slaves, before 1808: “The Migration or Importation of such Persons as any of the States now existing shall think proper to admit, shall not be prohibited by the Congress prior to the Year one thousand eight hundred and eight, but a Tax or duty may be imposed on such Importation, not exceeding ten dollars for each Person.