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Constitutional Convention Example

The future and success of America is not in the Constitution; but in the laws of God upon which the Constitution is founded. This famous quote was spoken by James Madison, the fourth president of the United States and one of the major Constitutional authors. The Constitution is a document that provides the United States with a system of governmental rules. It was not easy for the Constitution to become the element of importance it is to the citizens of the United States today. The United States Constitution's process of becoming our current system of government was forced to overcome multiple battles to get to where it is today.

Contrary to popular belief, the United States Constitution was not the first form of government used in the United States. The Articles of Confederation was actually the first system of government. The Articles of Confederation was made up of just a legislative branch and no executive or judicial branch. The single house of delegates gave each state one vote when making decisions. Because of this voting procedure, no decisions were ever made. Another issue with the Articles was that they did not have the power to levy taxes from the states. As a result, they were not able to raise any money. The Articles of Confederation only lasted around ten years and is looked upon by the American people as a failure. Their only major accomplishment as a system of government was the Northwest

Ordinance of 1787, which gave the United States five new non-slave states between the Ohio and Mississippi River. The event that showed the need for a new system of government was Shay's Rebellion. Shay's Rebellion occurred when farmers from Massachusetts rose up, protested, and closed the courts to prevent the foreclosure of their farms. This event showed that the federal system of government at the time put too much power into the state's hands and that the Articles needed to be revised. By the fall of 1786, twelve delegates from five states met in Annapolis, Maryland on September 22 to propose to the Continental Congress in New York to call a general convention in Philadelphia. Congress delayed the meeting until February 21, 1787, but they limited any major change to the Articles of Confederation. They only wanted a revision. Rhode Island did not approve of revising the Articles which should have prevented the convention from happening. It stated that to revise the Articles, thirteen out of the thirteen states needed to approve it. However, Madison decided that the strong need for a new form of government was more important at that time.

The first meeting of the delegates took place on May 16th, in Benjamin Franklin's home. He had invited the men over to dine and socialize in his impressive dining room. Meetings like this before the convention officially started were common and likely the first places where the discussion of a completely new government occurred. The Constitutional Convention, made up of fifty-five men, met in Philadelphia, Pennsylvania between May 25, 1776 and September 17, 1787. The delegates met to address the problems of the weak central government that existed under the Articles of Confederation. The head of the convention was thirty-seven year-old James Madison who had a personality combination of intellect, energy, and political knowledge that would help to create an entirely new form of government. The men who gathered in the Assembly Room of the Pennsylvania State House were faced with the task to re-establish the way the United States government was ran. They were locked in a building for most of the summer, without modern air conditioning, which only raised tensions when debating the controversial topics at the time. Being the group was going against the request to amend the Articles, and rather completely changing them into a new constitution, they all had to keep what was discussed during the meeting a secret. The delegates agreed to observe a strict rule of secrecy, with nothing spoken in the house to be printed or otherwise published or communicated. This rule of secrecy gave the attendees the freedom to disagree on important issues without the public's influence for nearly four months.

Two of the important issues discussed at the Constitutional Convention were the appointment of representation in the national legislature and slavery. The argument over how to appoint representatives in the legislature stretched over six weeks between May 13th and July 16th. Delegates from the larger, more populous states were supporters of the Virginia, or large state, plan which stated that representation in the House of Representatives and Senate should be based on population. Delegates from smaller, less populous states were in favor of the New Jersey, or small state, plan. They wanted equal representation of both the House of Representatives and the Senate. The compromise that arose stated that the representation in the House of Representatives would be appointed according to population, with each state receiving equal representation in the Senate. This compromise was named the Connecticut Compromise or more well known as, The Great Compromise. There are different areas of the government that the House of Representatives and the Senate were put in charge of. The House represents the people of the nation at large and the Senate represents the residual sovereignty of the states.

In 1787, slavery in America was declining, but it remained a significant part of the social and economic lives of citizens who lived in five of the states represented in the Constitutional Convention. The word slave and slavery is never mentioned in the constitution but it is implied in two areas. It was impossible to discuss questions related to the appointment of representation without speaking about the fact that the slavery population in the south would effect the calculations for representation. The delegates argued about the proper way to count slaves through much of the summer. The south, even though they saw slaves as property, wanted slaves to count towards population representation, but not towards taxation. The north disagreed and wanted slaves to be counted towards taxation but not representation. The final resolution of this issue was the Three-Fifths Compromise. The formula for this compromise was that slaves would counted as three-fifths of a person in both representation and taxation.

The debate over international slave trade was another issue discussed on the topic of slavery during the Constitutional Convention. After much debate between the northern and southern delegates on whether or not the trading of human persons was morally right or not, they compromised on the Fugitive Slave Clause. This clause states:

That any persons held to service labour in one state and escaping into another, shall be delivered up on claim of the party to whom such service or labour may be due.

Which means, for example, if a slave would escape from their plantation and cross state lines into a non-slave state, anyone there who recognized them as a slave was required, by law, to return them to their owner. This act not only showed that the delegates accepted slavery to keep the peace within the convention, but it also made the states that wanted to abolish or gradually abolish slavery involved in the support of slavery.

On the final day of the Constitutional Convention, it was up to the Convention's oldest delegate, Benjamin Franklin, to sum up the four months of debate and that had taken place that summer. Franklin observed that:

Whenever you assemble a number of men to have the advantage of their joint wisdom, you inevitably assemble with those men all their prejudices, their passions, their heirs of opinion, their local interest, and their selfish feels. From such an assembly, can a perfect production be expected? The wonder of it all, was that the delegates managed to create a system of government approaching so near to perfection as it does.

Thirty nine of the forty two delegates present on the last day would take the important step forward and move America forward in achieving a more perfect Union. Nine out of thirteen of the states were required to ratify the constitution. In order to convince the delegates to vote for it, Alexander Hamilton, James Madison, and John Jay wrote a series of eighty-five essays called the Federalist Papers to try and convince citizens that the new constitution was a good idea. The constitution was ratified on June 21, 1788.

There are seven principles of government in the United States constitution. The objectives of the seven principles were to create the framework for an efficient government but at the same time ensure that it would prevent tyranny. The first principle is popular sovereignty which is a government in which the people rule based on the political philosophy that emphasizes the freedom of the individual by limiting the power of the government. The second principle is republicanism which refers to a political theory that believes in a representative government in which citizens can vote for people to represent their opinions and views. The third principle is federalism which is

a union of states under a central government distinct from other separate states. The separate states retain certain individual powers under the central government. The fourth is the separation of powers which is a political doctrine that states that a constitutional government has three separate branches in that each of the three branches would have defined powers to check the powers of the other branches. Fifth is balance of power. Under the system of checks and balances each branch acts as a restraint on the powers of the other two branches. This is to prevent tyranny, oppression, and domination by one branch. Sixth is limited government. The Declaration of Independence declares that governments derive their just powers from the consent of the governed and that everyone is bound to the supreme law of the land. This ensures that no one, whether their position, is above the law. Last is individual rights, which states that the personal freedoms and liberties of the people are guaranteed by the Bill of Rights and cannot be taken away by the central government.

Many changes to the Constitution have been made since it was originally published. When the final draft of the Constitution was submitted to the people of the state for their approval, the absence of the Bill of Rights quickly emerged as one of the most serious objections to the proposed plan of union. When Thomas Jefferson received a copy of the completed Constitution from James Madison in 1787 he was also upset at the absence of a Bill of Rights. He states in a letter to Madison,

The omission of the Bill of Rights providing clearly and without aid of sophisms, for freedom of religion, freedom of the press, protection against standing armies, restriction against monopolies, the eternal and unremitting force of the habeas corpus laws, and trials by jury in all matters is a grievous error.

So, the first thing to change about the constitution was the addition of the Bill of Rights. Since then the United States has added another seventeen amendments to the constitution after addition of the original bill of rights. The four major amendments that have been added to the constitution are the 15th, 19th, 22nd, and 26th. The 15th amendment was ratified in 1870 and said that no citizen's vote could be taken away because of his race or color or because he was once a slave. The 19th amendment was ratified in 1920 and stated that all women living in the United States were allowed to vote. In 1787, men were always considered the head of the household, so

only they could vote. The women, however, were becoming better educated. By 1848 they were working together to gain voting rights. Lawmakers were finally convinced after 72 years that women could vote as intelligently as men. The 22nd amendment limits the president to two terms in office. George Washington started the presidential tradition of serving for two four-year terms. President Franklin Roosevelt, who was elected four terms in a row, was the first to break this tradition. Many Americans thought that his four terms had allowed him to become too powerful. This national feeling was how this amendment got ratified in 1951. The 26th amendment was passed in 1971 and it gave people ages 18 to 23 years old the right to vote. The national voting age at the time had been 21. Young people argued that if 18-year-olds are old enough to serve in the US Armed Forces, that should also make them old enough to elect United States leaders. This amendment had widespread support. It was ratified in only four months.

The United States Constitution has gone through many changes since it was first written in the summer of 1776. It is used today as a document that provides the United States with a system of governmental rules. As James Madison, the fourth president of the United States and writer of the constitution once said, The happy Union of these States is a wonder; their Constitution is a miracle; and their example is the hope of Liberty throughout the world.

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