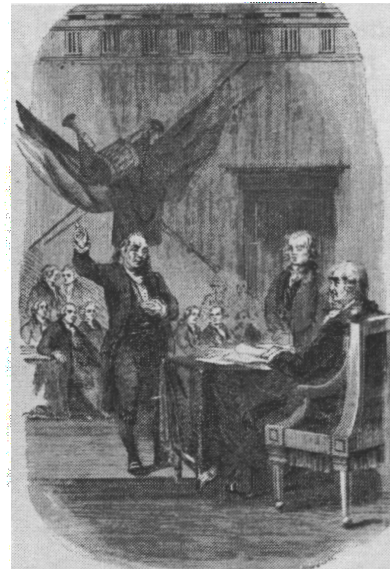


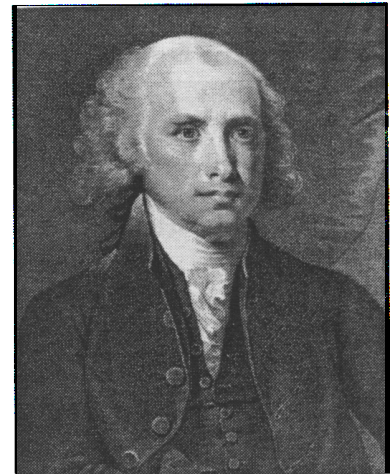
THE CONSTITUTIONAL CONVENTION

When delegates met for their convention, they decided to do away with the Articles of Confederation and write a new set of laws. All the delegates in attendance (only Rhode Island did not send representatives) agreed that change was necessary. However, how the national government should be reorganized was a matter of much debate. As a result, a number of compromises emerged. A **compromise** is an agreement reached when two parties who disagree with one another each gives up a little to come to a conclusion both sides can live with. Because delegates often disagreed, compromise proved crucial at the Constitutional Convention.



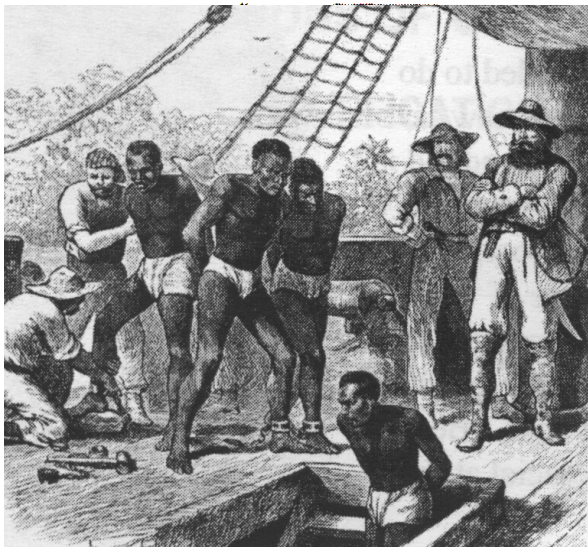
Constitutional Convention

Edmund Randolph and James Madison of Virginia introduced the **Virginia Plan**. It called for a federal government made up of three branches: a legislative branch to make the laws; an executive branch to enforce the laws; and a judicial branch to make sure that the laws were fair and properly enforced. The Virginia Plan included a two-house legislature consisting of representatives from each state. In each house, the greater a state's population, the more representatives it would have. Larger states loved the idea; but smaller states hated it because they would have fewer representatives. As a result, one of New Jersey's delegates proposed the **New Jersey Plan**. It also called for three branches of government. However, the legislative branch would have only one house with each state getting a single vote. In the end, the delegates decided to follow a plan that became known as the **Great Compromise**. It was also called the **Connecticut Plan** because it was presented by a delegate from Connecticut. Under this plan, the legislative branch would have two houses. One house, called the House of Representatives, would be elected directly by the people. Each state would be represented according to population. The other house, called the Senate, would be elected by state legislatures. Each state would have two senators, regardless of population. Together, the two houses would comprise Congress.



**Father of the Constitution
James Madison**

Slavery also proved to be a point of debate. Northern states had fewer slaves and argued that slaves should not count as part of the population. Southern states, however, had far more slaves and wanted to count them. The answer to this question was important because it affected how many representatives each state would have in Congress. Again, delegates reached a compromise. The **Three-fifths Compromise** stated that each slave would count as "three-fifths of a person." Meanwhile, debate about the slave trade resulted in a **slave trade compromise**. Under this agreement, Northerners and delegates from the Upper South (Maryland and Virginia) who opposed the slave trade agreed to allow it to continue for twenty more years. This was important to delegates from the Deep South who insisted that their economy could not



Slave Trade

survive without the slave trade. Finally, after much debate, the convention presented a new set of national laws to the states for ratification: the **United States Constitution**.

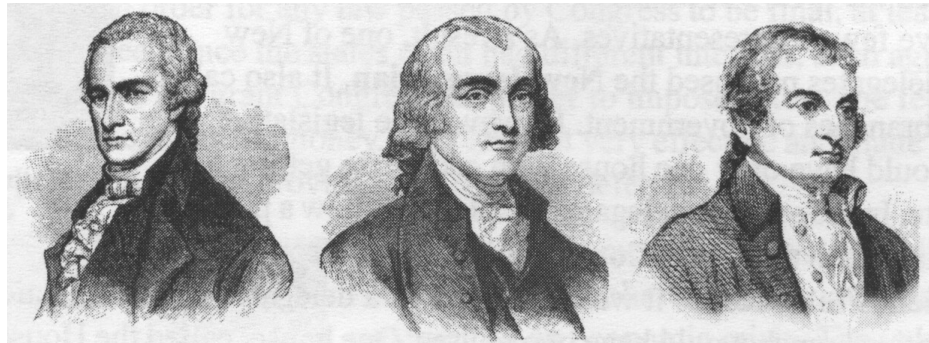
RATIFICATION

Not everyone was pleased with the Constitution. A number of states refused to ratify it, claiming it did not do enough to guarantee the rights of citizens. Finally, in late 1788, the last of the nine states needed for ratification approved the Constitution. They agreed to support the document after Congress promised to consider a number of amendments protecting civil liberties. Only North Carolina and

Rhode Island refused to ratify until after these amendments had actually been submitted to Congress. When Congress met in 1789, one of its first acts was to pass ten amendments (additions to the Constitution) that became known as the **Bill of Rights**. These amendments serve to protect the rights of citizens and limit the powers of government.

FEDERALISTS VS. ANTI-FEDERALISTS

Federalist Leaders



**Alexander
Hamilton**

**James
Madison**

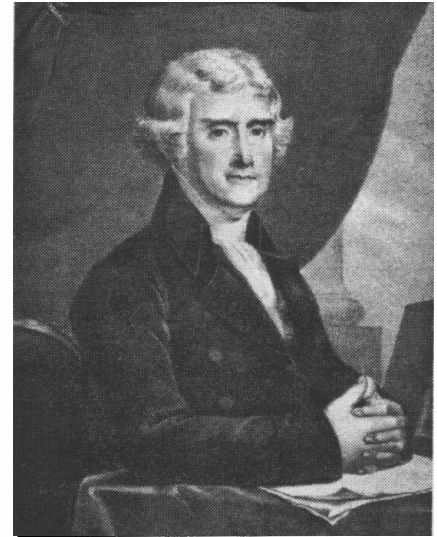
**John
Jay**

Federalist Leaders

Many US citizens favored the Constitution because they believed that the United States needed a strong federal government. Others opposed the Constitution because they feared that a powerful federal government would trample on their rights. Because of the debate, political leaders split into opposing factions. A faction is a group of people who are bound by a common cause, usually against another group bound by an opposing cause. The **Federalists** favored a strong central government and supported the Constitution. Alexander Hamilton, John Adams, and James Madison were among the Federalists' leaders. Federalists also tended to have a "loose interpretation" of the Constitution. They believed that the Constitution allowed the federal government to take actions not specifically stated in the document so long as they were necessary for carrying out the government's constitutional responsibilities. (James Madison

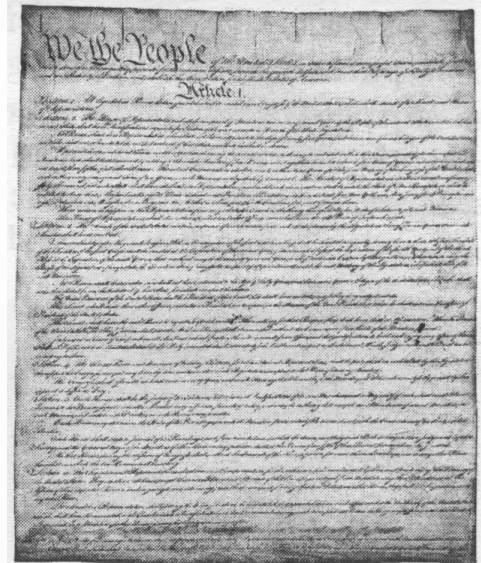
later opposed the political party known as the Federalists because he did not agree with some of their “loose interpretations.” He came to believe that some of their policies violated civil liberties guaranteed by the Constitution.)

Anti-federalists had a different view. Thomas Jefferson, who authored the Declaration of Independence, was an Anti-federalist. Anti-federalists were more suspicious of the Constitution and feared that it gave too much power to the central government. They held to a “strict interpretation.” They believed the federal government could only do what the Constitution specifically said. Anti-federalists did not want a small faction of leaders becoming too powerful and using the national government to trample on the rights of citizens. (Thomas Jefferson and James Madison eventually joined forces to lead the Democratic-Republican Party in opposition to the Federalist Party.)



Thomas Jefferson

To make their case for the Constitution, Hamilton and Madison helped author a series of essays known as the *Federalist Papers*. The essays were written to persuade New York’s legislature to ratify the Constitution. Eventually, with the support of men like George Washington, Alexander Hamilton, and John Adams, the Federalist view won. Anti-federalists did succeed, however, in securing the Bill of Rights.



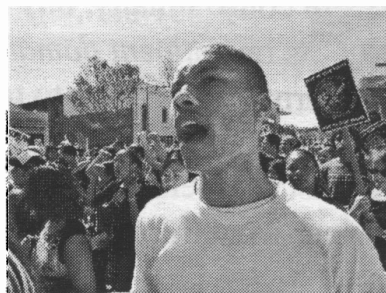
The United States Constitution

THE BILL OF RIGHTS

Congress passed twelve amendments in 1789 for the purpose of protecting civil liberties. The states chose to ratify ten of them. These ten amendments became known as the **Bill of Rights**.

First Amendment

The First Amendment guarantees freedom of speech, freedom of the press, freedom to petition the government, and freedom to assemble. It also protects freedom of religion and establishes the principle of separation of church and state. The amendment states that Congress cannot make any law prohibiting the free exercise of one’s religious beliefs. It also forbids Congress from establishing a religion.



Freedom of Speech



Freedom of Religion

Second Amendment

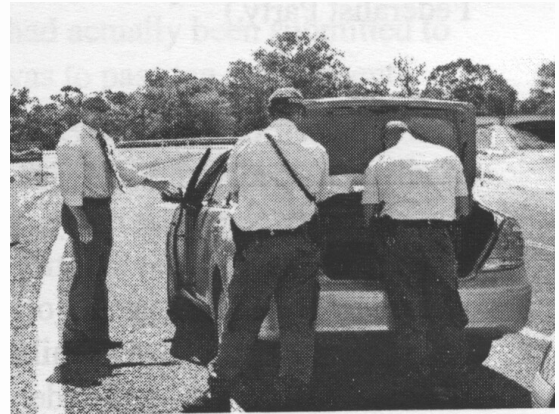
The Second Amendment guarantees the right to bear arms. Although there is much debate today about the private ownership of firearms, in the early days of the nation this right was important because it allowed local communities to maintain militias. Militias are part-time military units made up of private citizens rather than professional soldiers. During colonial times, militias commonly formed to protect small towns. The first shots of the American Revolution were actually fired because British troops attempted to seize arms stored by private citizens at Concord, Massachusetts.

Third Amendment

The Third Amendment restricts quartering (housing) of federal troops in the homes of US citizens. Prior to the revolution, the British angered colonists by forcing them to house British soldiers.

Fourth Amendment

The Fourth Amendment protects citizens against unreasonable searches and seizures. Thanks to this amendment, government officials cannot enter a person's home or go through someone's private property whenever they want. They must have a warrant (official document from a judge) or probable cause (reasonable evidence) that one has committed a crime before they can conduct a search or seize evidence.



Search and Seizure

Fifth Amendment

The Fifth Amendment guarantees **due process**. It sets the rules by which the government may arrest and charge a citizen with a crime. It ensures that no person shall be imprisoned or deprived of their property unjustly. This amendment protects citizens from *double jeopardy* and *self-incrimination*. In other words, a person cannot be tried for the same crime more than once nor can they be forced to testify against themselves in court. Finally, this amendment also places limits on *eminent domain*. Eminent domain is the government's power to take private property for public use. Under the Constitution, the government cannot take a citizen's property without paying "just compensation." For example, if the government takes someone's house, it must pay the owner what the house is worth.



Due Process

Sixth Amendment

The Sixth Amendment protects the rights of people accused of a crime. This includes the right to a public and speedy trial by jury. A trial by jury means that a group of an accused person's peers decides his or her guilt or innocence, rather than a single government official. This amendment also guarantees the right to legal representation (a lawyer) and the right to call and confront witnesses.

Seventh Amendment

The Seventh Amendment extends the right to a trial by jury to civil cases. Civil cases involve disputes between citizens rather than criminal offenses. For instance, when one party sues another, it is a civil case.

Eighth Amendment

The Eighth Amendment protects those arrested or found guilty of a crime. It prohibits the government from imposing excessive bail and fines. Bail is money an arrested person must pay to get out of jail until the date of their trial. Fines are amounts of money a person must pay as punishment for a crime they have been found guilty of. The Eighth Amendment also forbids cruel and unusual punishment of those convicted of a crime. The question of what constitutes "cruel and unusual punishment" is often an issue of debate.

Ninth Amendment

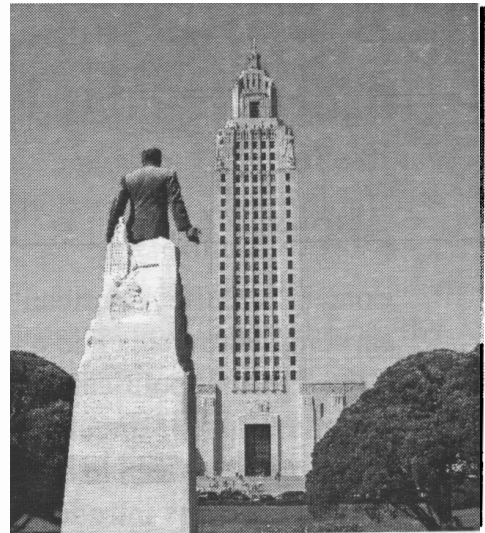
The Ninth Amendment states that the rights specifically mentioned in the Bill of Rights are not the only ones enjoyed by the people.

Tenth Amendment

The Tenth Amendment says that those powers not restricted by the Constitution, nor delegated to the US government, are reserved for the states. In other words, the Constitution grants the states the authority to decide certain matters of law. As mentioned earlier, the Tenth Amendment helps establish federalism.



Jury Trial



Louisiana State Capitol Building