

Compromises that lead to the constitution



In the period between the drafting of the Constitution and the start of the Civil War, compromise was a main part in the governing of the United States. The Constitution itself is often referred to as a “ bundle of compromises” and because of the effectiveness of these compromises it has been able to withstand time and continue to be the main source of our government. Conflict arose even after the Constitution and compromises were made to try to keep the Union together and decrease tensions between the North and South.

In this paper, I will discuss the compromises that made up the Constitution as well as the compromises that were implemented leading up until the Civil War. The drafting of the Constitution is compiled of great compromises that are the reason why our great government is still working today. James Madison created one of these compromises called the Virginia Plan. His plan called for a strong central government, one that had control to legislate, levy taxes, veto state laws, and authorize military force against states.

His plan also called for a bicameral legislature and fixed representation in both houses of Congress proportionally to each state’s population. The people would select the lower house and those in that house would elect the delegates in the upper house who in turn would select the president and judges. This plan didn’t work because those smaller states felt they wouldn’t have equal representation in this house due to their population being smaller than the larger states. They feared that the large states would control the legislatures and the small states wouldn’t be able to get what they wanted done.

After the Virginia Plan didn't work, William Paterson of New Jersey offered another proposal called the New Jersey Plan. This plan stated that there should be a single chamber congress in which each state had an equal vote, just like the Articles. This plan also did not work because it gave too much power to the smaller states who only compiled about 25% of the Americans. And so, the Great Compromise was proposed. This compromise was passed on July 17, 1787 and stated that the upper house would have equal representation, satisfying the small states, and the lower house would be based on population, satisfying the large states.

The fear of the people was that the central government would become too powerful and that the states wouldn't be able to do anything about it. Through debate and in attempt to solve this from happening, the framers of the Constitution came up with two things: separation of powers and the system of checks and balances. These two systems have kept our central government from getting too powerful as well as keeping our states from getting too powerful. Separation of powers meant that the three distinct branches in the national government all had different powers and one branch couldn't try to do the job of the others.

These three branches are the executive, judicial, and legislative branch. The executive branch is composed of the President of the United States and his cabinet, the legislative branch is composed of the Senate and House of Representatives, and the judicial branch is the Supreme Court. The system of checks and balances was meant to prevent any one branch from dominating the other two. Examples of the checks and balances include the power of the President to veto acts of Congress, but to insure that the president doesn't

overuse this power Congress can override a president's veto with a two-thirds majority in each house.

The framers also made it so the Constitution could be amended if needed by a two-thirds vote in both houses of Congress and then the amendment has to be ratified by three-fourths of the states. This amendment process is the reason why the Constitution has lasted as long as it has and why all the compromises the make of the Constitution still hold true today. The framers made it so the Constitution can be changed if and when our country changed views and ideas on all sorts of issues.

The admittance of Missouri as a state threatened the balance of the union in 1819, which at the time had eleven free states and eleven slave states. Since Missouri's population was composed of 16 percent slaves, it would be admitted as a slave state therefore upsetting the balance in favor of the south. Northerners didn't like this because Missouri was at the same latitude as the free states of Ohio, Indiana, and Illinois, and because of this they feared that it would set a precedent for slave states coming more north.

The north and south continued to argue and argue over the issue of slavery. The north accused the south of trying to extend the institution of slavery and the south said that the north was conspiring to destroy the Union and end slavery. To resolve this crisis, congress passed a series of agreements that became known as the Missouri Compromise, which smoothed over the crisis. In 1820, Congress admitted Maine as a free state and Missouri as a slave state in order to balance the number of free and slave states and to keep order between the north and south.

Also, it prohibited slavery in the remainder of the Louisiana Purchase north of the southern boundary of Missouri. This compromise soon fell apart after it was passed. Missouri drafted its own Constitution saying that free blacks were prohibited from entering their territory. Because of this provision, which was against the federal Constitution stating that citizens of one state were entitled to the same rights as citizens of other states, antislavery northerners didn't allow Missouri to be admitted into the Union until 1821.

In 1821, Henry Clay came up with a second Missouri Compromise, which didn't allow Missouri from discriminating against citizens of other states. This compromise didn't really calm the conflict between the north and south in terms of slavery. In fact, the conflicts that resulted in the Missouri compromise were the reasons that the Union fell apart 40 years later. The north still feared the spread of slavery into the north and the south feared that the north would try and take away a key part of their way of life, slavery, and the compromise did nothing to calm these fears.

By the end of the Mexican-American War, the United States contained thirty states in the union, fifteen of which were slave states and fifteen that were free states. Due to the huge amount of territory that was gained at the end of the war in 1848, the balance of free and slave states was threatened. Southern, or slave states, feared that because of the doctrine of free soil, which meant that Congress prohibited slavery in the territories. So the southerners came up with the idea of extending the Missouri Compromise.

Slavery again was the main issue when determining the admittance of states into the Union. In early 1850, Henry Clay again forged a set of compromises to resolve the issues between the north and south. He proposed the

admission of California as a free state; the division of the remainder of Mexican cession into two territories, New Mexico and Utah without federal restrictions on slavery; the settlement of Texas-New Mexico boundary dispute on terms of favorable to New Mexico; an agreement that the federal would assume the considerable public debt of Texas; the continuance of slavery in Washington D.

C but the abolition of slave trade there; and a more effective fugitive slave law. By summer, Congress passed each part of the component of Clay's set of compromises. Although it passed, it still didn't solve the differences between the north and south. The only reason it passed was because the minority in the north and the minority in the south who favored it combined to be more than those who opposed it in the north and south. This compromise favored more so the north than the south.

The north had many obvious "wins" in this compromise such as California as a free state, the potential of New Mexico and Utah being free states, and the abolition of slave trade in D. C. The compromise still left open the question of whether Congress had the power to prohibit slavery in territories outside of the Mexican cession. A big issue the north had with this compromise was the acceptance of the Fugitive Slave Law. In 1793, the Fugitive Slave Law was passed. This law required judges to award possession of an escaped slave upon any formal request by a master or his representative.

Runaways, as slaves who fled their masters were called, were denied a jury trial and sometimes even refused permission to present evidence of their freedom. This law denied free slaves the same rights that were given to whites under the Bill of Rights. Although this law was upheld, it did not mean

that Northerners followed it. This upset the south very much and was a main reason the compromise didn't last. They wanted the north to follow the provisions of the compromise since they had to as well.

In 1854, Stephen A. Douglas of Illinois proposed the Kansas-Nebraska Act. This act created the territories of Kansas and Nebraska, which opened new lands for settlement and farming. It repealed the Missouri Compromise by allowing settlers in those states to determine through popular sovereignty whether they were slave states or free states. The result of popular sovereignty was the flooding of northerners and southerners into these territories trying to either vote them into being free states or slave states.

This act just set fuel to the fire between north and south in terms of slavery and cause great conflict in these territories. The conflicts between the North and South were never truly resolved with the compromises after the ratification of the Constitution. The compromises worked temporarily to smooth over the tensions between them but they never lasted. The reason for this was the legislations never fixed the real issue, the question of whether blacks were considered equal to whites under the law and until the government made it clear, conflict was inevitable and compromise wouldn't work.