

# The founding father's motivation in writing a new constitution essay sample

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The Founding Fathers were motivated by a variety of factors to write a new Constitution, including reaction towards the weakness of the Articles of Confederation, group attempts to establish a new national government and the desire to limit “ democracy”.

The Constitutional Convention was the result of a reaction against the weakness of the Articles of Confederation. The Constitutional Convention was held to deal with the problems under the Articles of Confederation as well as to seek a solution to these weaknesses. Problems spread throughout numerous areas, from problems in the Southwest to the inability to maintain law and order.

In the Southwest, (south of the Ohio River and west of the Appalachian Mountains) American colonists were being attacked by the Creek Indians. Colonists ask the Articles of Confederation to help, but the Articles had no power whatsoever to draft soldiers or raise the money to fund the battles and the soldiers. The Southwest was also in need of roads. Again, the Articles were not able to help, for they had no money, nor have the ability to tax. Spain was also the cause of the problems in the Southwest. The Spanish bribed the Indians to attack the English colonists, attempting to force the colonists to leave so Spain could claim the land that was once supposed to be theirs. Spain also threatens to cut off the use of the Mississippi River to western settlers, since the Spanish knows that the Mississippi River is the economic lifeline for trading with the east. The Articles of Confederation had no authority and no army to stop the Spanish.

Economic problems occurred in the United States after the American Revolution with Britain. The first problem was that the U. S. was flooded with worthless paper money: the national government, the individual states as well as individual banks issued paper money. As a result, it created a bad impact for businesses, since they were unsure about the conversion rates between the paper currencies. Secondly, foreign trade had declined. After the American Revolution, the U. S. was no longer a part of the mercantilism system, therefore, the British closes their ports to the U. S. The Confederation, once again, is unable to do anything. And thirdly, there was a decline in domestic trade as well. In the 1780s, states began to put taxes on each other's products, since they didn't want competition from the other states.

Foreign affairs with Spain also contributed to the Constitutional Convention being held. Problems included lack of trade, Indian attacks, the usage of the Mississippi River and the Florida Boundary Dispute. The United States had strong desires to open up Spanish West Indies ports. As a result, John Jay was sent to Spain to ask for trade. In response, the Spanish promised to open the West Indies if settlers agreed to stop using the Mississippi River. The Spanish knew that if the western settlers couldn't use the Mississippi River, then they would have to move back east of the Appalachian Mountains. John Jay signs the treaty with no concern with the western lands, but the Articles of Confederation had the final word, as they rejected the treaty, believing that western land was more important than trade. Indian attacks that occurred in the Southwest were sponsored by the Spanish.

The Articles didn't have the ability to raise an army and stop the Indians. The usage of the Mississippi River was also a problem. Spain taxed the settlers for using the river to New Orleans. Eventually, Spain threatened to cut off usage of the river. The Florida Boundary Dispute between the U. S. and Spain argued where the boundary was. The U. S. argued that the boundary was at the 41st parallel, whereas the Spanish argued that it was at the 44th parallel rather than the 41st. As a result, this caused more tension between the two countries.

Problems with England included lack of trade, British forts in the Northwest as well as Indian attacks. After the American Revolution, the British closed their ports to American ships. The British deliberately made things economically difficult for the Americans, hoping to persuade them to come back to England. In the Northwest, British forts and troops remained because they accused the Americans of violating the treaty of repaying debts to merchants and returning land to Loyalists. The Confederation recommended the states to repay and give back the land, for they can't force the states to obey. The British's real reason for staying in the Northwest was that they expected the Articles of Confederation to collapse; therefore, they would be ready to take over. Indian attacks were also blamed at the British. The British persuaded Indians to raid frontier settlements. Even though the recent evidence showed this was not true, it continued to be true since accusations are based on what people thought.

The collapse of government was also a factor. The collapse of the Articles of Confederation was due to lack of interest and the lack of revenue. Ambitious

politicians were more interested in the state than the Articles, since they didn't have any power. Also, the Treaty of Paris of 1783 that ended the Revolution took 6 months to be voted upon. The Confederation had no money and couldn't do anything about it. They try to solve this by requesting money from the states. The Articles asked for \$10 million to pay off things such as debts but only received \$1. 5 million. The Articles also attempted to amend themselves by giving themselves the authority to tax, but the problem was that there has to be a unanimous agreement in all of the 13 colonies. Rhode Island, fearing the authority to tax will only lead to tyranny, voted against taxing power. Since the Articles couldn't pay off the debts, it collapses.

Lastly, the inability to maintain law and order was a factor to the Constitutional Convention. This inability was due to demands for currency and " Stay Laws", the actions of Massachusetts Legislature and Shay's Rebellion. Following the revolution was economic depression, which caused farmers to go into debt. As a result, the farmers had two proposals: 1) print more paper money, and 2) to adopt " Stay Laws". With the printing of more paper currency, more money is in circulation, therefore allow farmers to get the money to repay their debts. They also demanded " Stay Laws", which would prevent the government from taking away their property even if the farmers aren't able to pay their debts. Actions of Massachusetts Legislature also caused the inability to maintain law and order. The legislature was controlled by merchants, bankers and businessmen, who didn't want more

money printed into circulation since that would make the currency worth less. Also, bankers didn't like the " Stay Laws".

Therefore the legislature raises taxes in Massachusetts to raise money to pay off Revolution bonds. People bought these bonds during the war to help finance the war. At the time, rich people were the only ones to buy these bonds. Now, farmers must pay taxes to pay off the rich. Farmers were outraged when they heard this. In Springfield, Captain Daniel Shays leads 2,000 farmers to the courthouse, takes over the courthouse and prevents foreclosure. Shay also threatens to march into Boston, in order to force the legislature to increase circulation of paper money. Legislators in Boston were frightened, thinking there was a possibility of another revolution. Therefore, the state legislature calls out the militia to march to Springfield to handle the situation. In the end, Daniel Shay and some of his followers are arrested, causing Shay's Rebellion to collapse.

Because of the problems under the Articles of Confederation, the Constitution was sought to solve weaknesses of the Articles of Confederation through enumeration powers of the national government, implied powers and the making of the amendment process easier.

Through the government of enumerated powers, the new government had the same powers the Articles of Confederation had as well as the powers needed for a strong government, which were the power to tax, draft soldiers and to regulate trade. In the Constitution, there is the Elastic clause, which states that the government can pass any law that is proper in carrying out

the specified powers. If the government had the power to coin, then it is applied through the Clause that the government can control banks.

The Constitution seeks to solve the weaknesses of the Articles by making the amendment process easier. At that time, it was difficult to amend because there had to be a unanimous vote of all the 13 colonies, so the Constitution made the amendment process easier. To pass an amendment, a 2/3 vote is needed in each House and 3/4 vote in the State Legislature.

Attempts to establish a new national government to meet their interests by groups such as the army, public creditors, nationalists and commercial interests motivated the Founding Fathers to write a new Constitution.

Through the Constitution, the government now had a national army. They now didn't have to rely on the militia, since it was an unreliable source. Through the system of "checks and balances", the president was now the commander of the armed forces and is able to draft the army whenever necessary.

Public Creditors, also known as holders of war bonds also attempted to establish a new government to meet their interests, mainly historians such as Charles A. Beard. In Beard's interpretation, "An Economic Interpretation of the Constitution of the United States", he argues that the Articles of Confederation had protected debtors and small property owners and displeased wealthy elites investing in trade and the promotion of manufacturing. Only a stronger, more centralized government could protect their extensive property interests. Reviewing the economic holdings of the

Founding Fathers, Beard determined that most of these men were involved in investments that would increase in value under the Constitution, known as revolutionary war bonds. In effect, he argued that the Constitution represented a successful attempt by conservative elites to support their own economic supremacy at the expense of less fortunate Americans.

Commercial Interests was also a factor. Jackson T. Main, wrote “ The Antifederalist”. He argues that the line “ We the people...” is not true at all. The men at the Convention thought what was best for them and not what was best for the American people. The difference between those who want the Constitution and those who didn't was trade. Merchants, large landowners and the entire upper class wanted to expand trade, whereas the small farmers didn't since they couldn't benefit from it.

The Founding Fathers was also motivated because they wanted to limit “ democracy”.

The Founding Fathers were disgusted with the State legislatures. The legislatures issued taxes on one another's products. The Founding Fathers wanted to regulate interstate commerce. The people also directly elected the state legislature. As a result, many people thought that the State legislatures were highly influenced by the mob, creating a form of “ mobocracy” among the common people.

The Constitution also limits the power of States in response to limiting “ democracy”. Under the Constitution, states cannot print currency and cannot



send diplomats to Europe. States couldn't impose a tariff on each others products, but they could set up taxes within their own state.

Separation and balance of power in the national government was in the form of “ checks and balances”, a system where the three basic functions of the government are separated. The three basic functions, making laws, (Legislature) enforcing laws, (President) and to punish those who violate the laws (Judicial / Court System). Congress can pass laws, but the president can veto. However, the legislature can override the veto with a 2/3 vote. The Congress controls money for war and has the ability to declare war. The president is the commander of the armed forces. The Senate can approve treaties and appointments as well as conducting trials for the impeachment of the president.

Lastly, to limit “ democracy”, the Constitution is sought to prevent “ hasty” action by the government. The Founding Fathers, taking note of Shay's Rebellion, were concerned about the mob, for they feared that they will attempt to take over the government. Therefore, they were determined that each branch of government would be selected differently with different lengths of terms. The House of Representatives were selected by popular vote and would have a length of 2 years. The Senate would be selected by the state legislature, with a length of 6 years. The President is selected through the Electoral College and would serve for 4 years. Lastly, the Judge would be appointed by the president and would serve for life. If a mob were to break out, the House of Representatives would be affected the most, since

they were picked by the people, who had short terms, while the other branches of government wouldn't be affected immediately.

In conclusion, the Founding Fathers were motivated by a variety of factors to write a new Constitution.