

The ratification of the united states constitution

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The man stood in the town square. It was midday and the sun beat down with cruel intensity. Venomous words issued from the man's mouth. An Anti-Federalist, he spat fire at the United States Constitution, each word a red-hot coal.

His eyes were ablaze with fury and bitter contempt. The Federalist stood opposite him, eyes burning with equal passion. Convincing and sweet as honey, his words praised the Constitution. A group of onlookers listened with a torrent of confusion in their minds. Which one had a better point, the Anti-Federalist or the Federalist? Should the Constitution be ratified? Or should it be repealed? Ratification of the United States Constitution was a matter of profound debate and negotiation that lasted the better part of five years, from 1787 until 1792, at which point the Bill of Rights was added. The Federalists and Anti-Federalists, two parties with opposing views, converged on each other in a furious brawl of spoken word and printing press.

Battles of opinion and compromise are the heart and backbone of the United States Constitution. By uniting into a single force, the almost-United States, along with the aid of France, had vanquished the tyranny of their mother country, Great Britain and its monarch, King Charles III. Thus ended the profuse and unreasonable taxes that Great Britain had levied upon them. With their cruel sovereign defeated, the not yet United States was now a free country and independent nation. However, it lacked a government.

From their conflict with Great Britain, the populous of the Untied States had learned an essential lesson: as a single united nation, they had significantly more sovereignty than as 13 individual entities. If this fledging nation was to

become stable, self-reliant, and prosperous, some type of central government would need to be established. Vital decisions regarding domestic policy, foreign affairs, and treaties with other nations would require a unified structure. Two questions nagged at the citizens' minds. What type of government should be established? After their harsh experience under King George III's rule, they knew that they did not want a monarchy.

So what then? How could this central government be kept in check, so as not to abuse its considerable powers? The first United States government plan known as the Articles of Confederation, were reProxy-Connection: keep-alive Cache-Control: max-age= 0 ased in 1777. The Continental Congress had been brainstorming the ideas contained therein around the same time period that Thomas Jefferson had been drafting the Declaration of Independence, the document declaring American an independent nation, no longer under Great Britain's rule. It seemed that America's government was to be a confederation, a system of government in which the states would retain their respective sovereignties but would allow the central government to manage certain specific endeavors, such as raising a military force. On the surface this seemed to be a fair idea. However, this seemingly simple plan turned out to be riddled with deadly flaws! In brief, the Articles of Confederation is best compared to a piece of Swiss cheese, full of widely dispersed holes. Surprisingly, one of the largest problem with the Articles was that they gave the states too much power and the central government too little.

This was a difficult time for the United States. It had just barely defeated the British Redcoats in their epic battle for independence, known as the Revolutionary War. War is an expensive, violent business. Artillery, guns, <https://assignbuster.com/the-ratification-of-the-united-states-constitution/>

sabers, and other supplies must be paid for, not to mention the troops themselves. In addition, to request aid from other powerful nations such as France involved negotiation and added to this major debt the United States incurred. Thus, the new nation was in a precarious position and, for the moment, also a rather helpless one.

Money was desperately needed but The Congress that the Articles had installed did not have the power to tax the 13 states. Congress could only plead with the states for money, which it did. Not surprisingly, the states rarely responded to these pleas and, as a result, the central government was poor indeed and unable to pay down its debt. Not having the power to tax the states, the central government (as well as the 13 states) owed foreign nations that had helped them in their war against the Redcoats. Not even the soldiers who had fought bravely and risked their lives for America's independence had been paid the wages due them. The union itself was falling apart.

Each states was printing its own currency and the end result was inflation. States were also taxing each other for shipping certain goods in order to make money. Then the states started threatening each other. Ultimately they began to act as 13 separate countries, instead of the union they intended to be. The union was in a state of havoc and heading for certain collapse.

What action could be taken to head off this crisis? Amend the Articles of Confederation? No, the Articles had too many flaws. What was needed was a new, refined plan of government. In September 1786, Alexander Hamilton, a

New York lawyer, took the first steps toward achieving this goal. He proposed holding a gathering in Philadelphia to revise the Articles of Confederation for the purpose of establishing order and tranquility in the United States.

Hamilton's proposal became a reality in the summer of 1787.

A Constitutional Convention met and made a brand new plan of government called the United States Constitution. Although Gouverneur Morris wrote the final draft of the Constitution, James Madison's plan of government is the one used in the Constitution. For this reason he is known as the "Father of the Constitution." (Appleby et al., pages 134-197) Madison's government plan contained four basic principles.

In the Lower Houses of Congress, commonly known as the House of Representatives, the states would have the number of delegates proportional to each state's population. "Unequal importance" (Medina, page15) is another way of stating it. However, in the Senate (the Upper House of Congress) each state would have equal representation with two representatives each. (Appleby et al., page227) Another of Madison's ideas was to have a central, all-powerful government, giving it the power to veto the states' legislative branches' decisions. He also supported establishing an executive branch and a judicial branch of government.

This brilliant thinker's ideas are included in the Constitution and lay out some of the main aspects of government still used today. What are the three branches of government and what do they do? In brief, the legislative branch is comprised of Congress and their main function is to make and ratify laws. The executive branch is the president and his/her cabinet. The third branch

of government is the judicial branch and is comprised of the Supreme Court and other lesser courts along with its judges and juries.

To avoid the consequence of any one person or group becoming too powerful, a system of checks and balances was created between the three government branches. Each branch holds a special power of its own while simultaneously holding a certain important power or check over both of the other branches. In this way, the sovereignty of each branch is limited, and only by working together can the government branches put their powers into effect. This is called maintaining a balance of power. (Appleby et al., pages 227 to 231) The conclusion of the 1787 convention marked the completion of the Constitution.

Its ratification by the nine of the 13 states was necessary in order for it to become the nation's law. This turned out to be complicated. Out of the states rose two parties: one ready to ratify the Constitution in a twinkling, the other happy to burn it in a bonfire. Those opposed to the ratification of the United States Constitution were known as the Anti-Federalist Party. Their reasons for opposing it were numerous. Their first and strongest argument against the Constitution was that it lacked a bill of rights to protect the individual, natural rights that Great Britain had so harshly abused.

How were they to be absolutely certain that such an abuse of their rights would not be carried out by this new government? What assurances did they have? So far the answer was "none." The supporters of the ratification were known as the Federalist Party. They believed a bill of rights in the Constitution was unnecessary. Roger Sherman, an outspoken Federalist,

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feared that if a bill of rights was added to the Constitution, it might conflict with the bills of rights that the states had already created. If the individual states already had bills of rights, what was the point in having a national one? Another Federalist, Alexander Hamilton, also believed that a national bill of rights was unnecessary because its inclusion in the Constitution might be interpreted by the people as the only rights they had. The southern states also objected to the idea of a national bill of rights.

At that time, their major money-making source was plantations tended by slaves abducted from West Africa whom they treated cruelly. If a national bill of rights, whose purpose was to protect individual rights, were to be added to the Constitution, it would make them look bad and possibly end their slave-dependent business. (Collier and Collier pages 76-80) The Anti-Federalists feared and distrusted a central government after what had happened to them under Great Britain's rule. They wanted the 13 states to retain their power. The Federalists had other fears. They believed that without the strong central government that the Constitution provided, the states would fall into disarray and rebellions would become prevalent.

In their opinion, a central government would bring order and hopefully peace. Things began to look rather bad for the Federalists. At several state conventions, some states flatly refused to ratify the Constitution without the assurance of a bill of rights being included in it. The Federalist Party was determined to help advocate for their beliefs. Toward that end, they wrote a total of 85 essays for local papers supporting their cause that became known as the "Federalist Papers."

" These essays were later made into books that were passed out to delegates at ratifying conventions. Their efforts were not in vain as many states began to favor the Constitution for its idea of fair representation in the Senate. (Appleby et al., page 207) On December 7, 1787, Delaware became the first state to ratify the Constitution. This ratification was followed shortly by two others: the state of Pennsylvania on December 12, 1787 and New Jersey on December 19, 1787.

(Medina, page 22) However, the Anti-Federalist continued to have power. Its party members were numerous in the larger states of New York and Virginia. (Appleby et al., page 207) They began to write essays against the Constitution and these were called the " Anti-Federalist Papers." The Anti-Federalist Papers were not that strong and their ideas failed to win the support of important political men.

(Collier and Collier, pages?) But they did have a strong political speaker on their side. His name was Patrick Henry. Henry was against the Constitution and its idea of a centralized government for a few reasons. He believed that through the Constitution, Congress would be granted the power of " unlimited direct taxation." Henry also believed that the president would act as a king or monarch and that the laws the states laid down would be repealed by the federal government. He reminded the convention delegates that these were the exact powers the British Parliament had abused and which had then led to the Revolutionary War.

(Unger, pages 37 to 43) The efforts of the Anti-Federalists ultimately failed. Georgia ratified the Constitution on January 2, 1788. Seven days later on

January 9, 1788, Connecticut ratified. The following month, on February 6, 1788 Massachusetts ratified. On April 28, 1788 Maryland also ratified. Virginia then ratified on June 25, 1788.

The day after Virginia's ratification was one to remember. The Federalist, Alexander Hamilton, had been arguing for the Constitution's ratification for six weeks, in the Anti-Federalist state of New York. His efforts were finally rewarded and on June 25, 1788, New York ratified. (Appleby et al., page 207) This was a battle that the Anti-Federalists were losing. Although they argued forcefully against the Constitution's ratification, they could not come up with an alternative government plan to replace the Constitution.

This weakened their position. A compromise was later negotiated between the Federalists and Anti-Federalists. It was agreed all thirteen states would ratify, but after the Constitution went into effect, a bill of rights would be added to it. Thus, on May 23, 1788, South Carolina ratified. November 1788, North Carolina ratified. In May 1790, Rhode Island became the last and final state to ratify the Constitution.

(Medina, page 22) James Madison wrote the Bill of Rights. In April 1792, Congress passed the Bill of Rights, which constituted the first ten amendments to the Constitution. It is there still to remind us what we are all entitled to as humans: life, liberty, and more. (Appleby et al., pages 260-261) The Constitution was ratified after a long and vigorous debate. A seemingly impossible negotiation between two opposites - the Federalists and the Anti-Federalists - was established.

Our Constitution would not be half the beautifully crafted document it today if fire and water had not converged on it, met in the middle, and become one as steam.