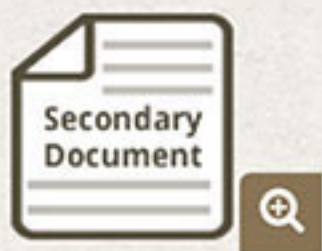


# Ratification Issue: Representation

**Creator:** American Social History Project, City University of New York

**Date:** 2014

**Source type:** Historical Essay (secondary source)



Under the **Articles of Confederation**, each state had one vote in Congress. **State legislatures appointed** a group of two to seven representatives to attend the Congress and vote on behalf of the state. Men who were

**appointed** to be representatives could not serve for more than three out of any six years. In contrast, the Constitution established a Congress with two parts, the House of Representatives and the Senate. Members of the House of Representatives were elected directly by the people and members of the Senate were chosen by **state legislatures**. There was no limit on how long representatives could serve.

Having two houses of Congress was a compromise worked out at the Constitutional Convention between **delegates** from small states and **delegates** from large states. Those from small states were worried that their states would always be outvoted in Congress by larger states. They also compromised on how the members of the two houses of Congress would be selected. Members of the House of Representatives were elected by the people using a **proportional** system: states with a higher population get to elect more Representatives than states with smaller numbers of residents. For the Senate, each state, no matter how large or small, is represented by two Senators.



# Melancton Smith Objects to the Number of Representatives Required by the Constitution

**Creator:** Melancton Smith

**Date:** June 21, 1788

**Source type:** Speech (Adapted)

**Introduction:** When the framers wrote the U.S. Constitution they decided that the House of Representatives would be a **proportional** system; larger states would elect more Congressmen than smaller states. They also decided that, as the population of the U.S. grew, there could be no more than one representative for every 30,000 people. In 1788, New York had six representatives. At the New York ratifying convention, **delegate** Melancton Smith, a businessman, criticized this plan for representation.



I believe that the representative must be chosen by the free will of the majority of his **constituents**; therefore the representative should be chosen from small areas. Could 1 man for 30,000 be chosen in this manner? Would the representative have the necessary information to serve the great number of people that were spread over this **extensive**

area?

I have another objection to this clause of the Constitution: If the workings of government were trusted to only a few men, each man would have a lot of power and would be more likely to become **corrupt**. Therefore steps should be taken to prevent the possibility of corruption.

Representatives should resemble those they represent; they should be a true picture of the people and understand how the people live and what they need. To determine whether the number of representatives proposed by this Constitution is **sufficient**, we should examine the **qualifications** which the representatives should possess in order to do their jobs properly for the happiness of the people. Representatives should be well-educated. They should also be familiar with the common concerns and **occupations** of most people. Men of the **middling class** are in general much more able to understand such concerns than men of a higher class.

The wealthy cannot have that sympathy with their **constituents** which is necessary for them to understand their interests. Being in the habit of expensive living, they will tax the public highly and spend their money. They find no difficulty in paying their taxes, but people of the **middling class** do feel these difficulties. Therefore, representatives from the **middling class**, from their **frugal** habits, will be careful how they increase taxes.

I believe that the Constitution should have a larger number of representatives so that it can include members of the wealthy class and a **sufficient** number of the **middling class** to control them.



# Alexander Hamilton Argues for the Constitution

**Creator:** Alexander Hamilton

**Date:** June 12, 1788

**Source type:** Speech (Adapted)

**Introduction:** During the 1780s, Alexander Hamilton practiced law and founded the Bank of New York. He was a **delegate** to the New York ratifying convention. In this speech to the convention, he responded directly to Melancton Smith's criticism of the number of representatives established by the Constitution.



I **contend** that sixty-five [Congressmen] and twenty-six [Senators] in two bodies provide Americans with perfect security, and that the gradual increase in representatives, which the **framers** of the Constitution made possible, will put everybody at ease. Each representative has to return to the

community; he is **dependent on the will of the people**, and it is not in his interest to oppose their wishes.

All governments, even the most **despotic**, depend, in a great degree, on opinion. In free **republics**, the **will of the people** is the essential principle of the government, and the laws which control the community are shaped by the public wishes. It is fortunate that the people of this country are very intelligent, because we may expect the laws to be well-made and **just**. If the general voice of the people wants an increase in representatives, it **undoubtedly** will take place.

It has been also observed by the gentlemen in opposition to the Constitution that a large number of representatives is necessary to understand the **interests** of the people. This principle is by no means true. The information necessary to understand the **obligations** of government is open to every intelligent person and five men may know as much as fifty. In New York, we have only twenty-four state senators and the public has full confidence in them. They have as much power over New York as Congressmen will have over the country.

Sir, we hear constantly that we will not have enough representation under the new Constitution, but this is meant to upset us rather than to show us the truth. Why are we told so often of an **aristocracy**? For my part, I hardly know the meaning of this word as it is applied. Who are the **aristocracy** among us? Where do we find men **elevated to a perpetual rank above their fellow citizens**? Does the new government make a rich man more **eligible** for **public office** than a poor one? No. It requires no such **qualification**. The **tendency** of the people will be to elect the most qualified man, even if he is poor or unknown.



# Ratification Issue: Taxation

**Creator:** American Social History Project, City University of New York

**Date:** 2014

**Source type:** Historical Essay (secondary source)



Under the **Articles of Confederation**, the central government could not **impose** taxes directly on people. It relied on money sent from the states in order to pay its expenses, but it had no way to force the states to supply funds. Only a few states contributed. This became a problem when the new American government could not pay **debts** it owed to foreign countries that had loaned it money to fight the American Revolution. To address that problem, the **drafters** of the Constitution gave Congress the power to set taxes. A tax is an amount of money that the government collects from people or businesses. Taxes could be based on people's property or income (known as direct taxes) or on things that people bought from other countries (known as **impost** or **import** taxes). The Constitution also gave Congress the power to decide how much money the government could spend, and what it would spend it on.

# Amos Singletary Worries about Taxes

**Creator:** Amos Singletary

**Date:** January 19, 1788

**Source type:** Speech (Edited)

**Introduction:** Many small farmers were opposed to ratification. They were suspicious about the motives of the wealthy elite and feared the power of a strong federal government. Amos Singletary, a farmer from western Massachusetts, spoke as a delegate before the state's ratification convention in 1788.



We **contended** with Great Britain—some said for a three-penny duty on tea, but it was not that. It was because they **claimed** a right to tax us and **bind** us in all cases **whatever**. And does not this Constitution do the same? Does it not take away all we have—all our property?

Does it not **lay** all taxes, **duties**, **imposts**, and **excises**? And what more have we to give?

They tell us Congress won't **lay direct taxes** upon us, but collect all the money they want by **impost**. I say, there has always been a difficulty about **impost**. They won't be able to raise money enough by **impost**, and then they will tax the land and take all we have got.

These lawyers, and men of learning, and **moneyed men**, that talk so finely and **gloss over** matters so smoothly, to make us poor **illiterate** people **swallow down the pill**, they expect to get into Congress themselves. They expect to be the managers of this Constitution, and get all the power and all the money into their own hands. And then they will swallow up all of us little folks. This is what I am afraid of.



# James Wilson Defends the Constitution's Plan for Taxes

**Creator:** James Wilson

**Date:** October 6, 1787

**Source type:** Newspaper Article (Adapted)

**Introduction:** James Wilson was one of the men who wrote the Constitution. Two weeks after a draft of the Constitution was completed, he spoke at a large public meeting held in Philadelphia. He explained the proposed Constitution and answered some of the criticisms that had been made of it. His speech was published in the *Pennsylvania Packet* newspaper and then reprinted in many other states as well.



Critics say the federal government should not have the power of **direct taxation**. But it is the federal government's duty to provide for the national safety, to support the **dignity** of the union, and to pay the country's debts. If the government is going to fulfill those important

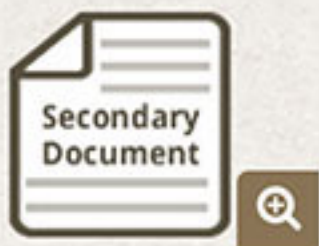
duties, it is only right and **practical** that it has every means possible to do so. But why should we be alarmed about unlikely evils? I predict that the great **revenue** of the United States must, and always will, be raised by **impost**, which is easier to raise and will be less bothersome to the American people. Still, the government should have the power of **direct taxation** in case of emergency, and people should not feel **oppressed** by how the government will collect taxes if they agree that the government has the power to collect them.

# Ratification Issue: Separation of Powers

**Creator:** American Social History Project, City University of New York

**Date:** 2014

**Source type:** Historical Essay (secondary source)



The **Articles of Confederation** gave more power to the individual states than to the central government. There was a Congress made up of representatives from each state, but there was no single **executive** like a

President, and there were no courts. A majority of the states' representatives had to agree to any new laws, and the Articles themselves could only be **amended** if all 13 states agreed to the changes. This meant that it was almost impossible for any changes to be made to the Articles.

At the Constitutional Convention, the **framers** decided that the new central government would be more effective if it could spread power among three different parts. These parts, known as branches, of government were **executive** (the President), **legislative** (Congress), and **judicial** (courts and judges). The Constitution established a system of **"checks and balances"** so that none of the three branches would become too powerful. For example, Congress would write and pass laws, the President would approve (or **veto**) the laws that Congress passed, and the courts would decide if the laws were legitimate.



# An Anonymous Writer Opposes the Constitution

**Creator:** Anonymous

**Date:** November 21, 1787

**Published in:** The Massachusetts Centinel

**Source type:** Letter (Edited)

**Introduction:** Debates about whether to ratify the Constitution took place in the pages of newspapers as well as at state ratification conventions. This anti-federalist letter was published in the *Massachusetts Centinel* newspaper by an opponent of the Constitution who did not sign his name.



The objections that have been made to the new constitution, are these:

The Constitution does not establish (as it ought to) a **confederation** of states, but a government of individuals.

The legislative and executive powers are not kept separate as **every one of the state constitutions** declares they ought to be; but they are mixed in a manner entirely **novel**

and **unknown**, even to the constitution of Great Britain.

In England the king only has the right to **veto** the actions of the legislature, which he has never dared to **exercise** for a hundred years. By the new constitution, both the president and the Senate have that right to **veto**, and are intended to support each other in the **exercise** of it.

The most important branches of the executive department are to be put into the hands of one person, who will be in fact an elective king. The military will be entirely at his disposal, and therefore:

A government made up of monarchy and aristocracy will be firmly established, and **liberty** will only be a short page in the history books of the best days of America.

These, my countrymen, are the objections that have been made to the new proposed system of government; and if you read the Constitution itself with attention, you will find them all to be true.

*An Officer of the late Continental Army.*



# James Madison Explains the Constitution's Separation of Powers

**Creator:** James Madison

**Date:** February 6, 1788

**Published in:** Federalist Papers

**Source type:** Pamphlet (Adapted)

**Introduction:** James Madison played a large role in writing the Constitution, and continued to support it during ratification debates. In this document, which Madison wrote to try to convince **delegates** to ratify the Constitution, he describes how the different **branches** of the government will exercise power over each other. In 1809, Madison became the fourth president of the United States.



To protect against one branch of the government gradually gaining too much power, the Constitution gives those who **administer** each branch the necessary methods, and personal **motives**, to resist efforts by the other **branches** to gain power. We can depend on the people to vote corrupt officials out of office, but each branch must also have the ability to **check** the power of the other **branches**.

But it is not possible to give to each part of the government an equal power of self-defense. In **republican** government, the legislature creates the laws, and so it is the most powerful. The remedy for this is to divide the legislature into different **branches**. The Senate and House of Representatives are elected separately and have separate functions, but they are both dependent on the people. **Furthermore**, in addition to dividing the legislative branch into two, the weaker **executive** branch should be given enough strength to balance the legislature's power.

An absolute **veto** power over the legislature appears at first view to be the natural power with which the president should be armed. On ordinary occasions, the president might not use the **veto** power when he should, and on extraordinary occasions he might **abuse the power** of veto. This is corrected in the Constitution by giving the House of Representatives, the weaker of the two legislative **branches**, the power to **override** the president's **veto** when  $\frac{2}{3}$  of its members vote to do so.