

Critical Thinking Questions for Compromises of the Constitution

Directions: You will learn about three conflicts delegates to the Constitutional Convention had to resolve in order to create the Constitution. For each conflict, read the "Background Information," examine the slide representing it, and listen for any additional information your teacher gives you. Then, discuss with your group members the "Critical Thinking Question." Finally, rank the possible resolutions to the conflicts and explain your rankings. The Presenter for each question should be prepared to share your group's answers with the class.

Background Information on Critical Thinking Question A: The delegates to the Constitutional Convention had a very difficult time deciding how many representatives each state would get in the new Congress. The large states felt that representation, or the number of elected officials in Congress each state gets, should be based on a state's population. They felt that states with more people deserved more representatives in Congress. Small states, on the other hand, believed that all states should be treated equally under the Constitution. They wanted all states, regardless of population, to have the same number of representatives. This caused a great deal of tension and debate between representatives from large states and small states during the Constitutional Convention. It was a very difficult problem for them to resolve.

Critical Thinking Question A: If you were delegates to the Constitutional Convention, what do you think would be the best way to resolve the problem of representation in Congress?

Rank these four choices from 1 (best choice) to 4 (worst choice):

- _____ A. Have representation in Congress based on population.
- _____ B. Have an equal number of congressmen from each state.
- _____ C. Create a Congress with two parts. Have representation for one part based on a state's population, and representation for the other part based on an equal number of representatives per state.
- _____ D. Redraw the boundaries of the states so that the population is equal in all states.
Then base representation in Congress on an equal number of representatives per state.

Explain first choice:

Explain last choice:

Background Information on Critical Thinking Question B: Delegates from Northern and Southern states at the Constitutional Convention disagreed on how slaves should be counted in the population. (Remember, slavery in the South was very prominent, but not in the North.) The population of a state was very important for two reasons: (1) It determined how many representatives the state would get in the House of Representatives, and (2) it determined how much tax would be paid by the state to the federal government. Thus, whether slaves were to be counted in the population would have a major impact on a state's power in Congress and on the amount of tax a state would have to pay.

The Southern delegates proposed that slaves be counted in the population to determine representation, but not counted for the purpose of figuring out taxes. This clearly worked to the Southern states' advantage because they would have more power in Congress, but would have to pay less taxes. The Northern delegates strongly opposed the plan. They argued that slaves were considered property by the owners, and therefore should be counted for taxes but not for representation in Congress. This plan was exactly the reverse of what the South wanted. This presented a very difficult problem for the delegates to resolve.

Critical Thinking Question B: If you were delegates to the Constitutional Convention, what do you think would be the best way to resolve the problem of how to count slaves in the population?

Rank these four choices from 1 (best choice) to 4 (worst choice):

- _____ A. Let each state with slaves decide whether they are to be counted in the population or not. The population counts, whether they included slaves or not, would be used for both representation in Congress and tax purposes.
- _____ B. Count slaves as 3/5 of a person for population.
- _____ C. Count slaves for taxes but not representation until 1820, after which they will be counted for both.
- _____ D. Count slaves for representation but not for taxes until 1820, after which they will be counted for both.

Explain first choice:

Explain last choice:

Background Information on Critical Thinking Question C: Two other sources of conflict between the Northern and Southern delegates also involved slavery. First, delegates faced a difficult decision about whether to allow slave trading in the United States. Southerners did not want Congress to be able to make laws concerning business and trade because they feared that Congress might outlaw the slave trade. Northerners, on the other hand, wanted Congress to be able to pass laws that would help business and manufacturing.

In addition, Northern and Southern delegates argued over what should happen to runaway slaves. Southerners believed that since slaves were property, runaways to the North should be returned to their owners. Northerners thought that slaves who ran away to free territory ought to be allowed to remain free. These were very difficult problems for the delegates to resolve.

Critical Thinking Question C: If you were delegates to the Constitutional Convention, what do you think would be the best way to resolve the problems of whether to permit slave trading and what to do with runaway slaves?

Rank these four choices from 1 (best choice) to 4 (worst choice):

- _____ A. Do not allow Congress to stop slave trading for 20 years. Runaways to free territory are not free since they are considered by law to be property.
- _____ B. Allow Congress to restrict slave trade. Runaways to free territory can be claimed by their owners, but Northern officials are not forced by law to return slaves themselves.
- _____ C. Allow Congress to restrict slave trade. Runaways to free territory must be returned to their owners.
- _____ D. The Constitution should make no decisions about these issues. Leave it to individual states to decide what to do about these matters.

Explain first choice:

Explain last choice:

