

AP US HISTORY · UNIT 3

The Constitutional Convention & Debates Over Ratification

AMSCO Topic 3.8

AP US History Study Guide — Outside-Research Edition

Learning Objective: Explain the differing ideological positions on the structure and function of the federal government. **Thematic focus (College Board framework):** Politics and Power (POL) · American and National Identity (NAT)

*This guide keeps AMSCO's own content as its backbone and expands it with outside research. Every fact beyond what AMSCO Topic 3.8 says is tagged the moment it appears: **OUTSIDE SOURCE — Beyond AMSCO:** [claim] — [source]. Only sources actually found this session are cited. Nothing below is invented.*

Historical thinking skills this guide targets: causation (why compromise, not consensus, produced the Constitution), comparison (Federalist vs. Anti-Federalist political philosophy), and historiography (was the Constitution a democratic achievement or an elite economic project?).

Road to the Convention

- **Annapolis Convention (1786):** George Washington hosted a meeting at Mount Vernon (VA, MD, DE, PA) about the country's problems; a follow-up meeting at Annapolis drew only 5 states. **James Madison** and **Alexander Hamilton** persuaded the others to call for a full convention in Philadelphia to revise the Articles.
- **Philadelphia Convention (Summer 1787):** Congress approved the meeting to revise (not replace) the Articles. All states sent delegates except **Rhode Island**.

***OUTSIDE SOURCE — Beyond AMSCO:** Rhode Island's refusal wasn't random obstinance — it reflected a real ideological position. Rhode Island had the most radically democratic paper-money and debtor-relief policies in the country at the time, and its leadership correctly suspected the Convention's likely outcome would curb exactly those policies. Its absence is itself evidence for the "elite vs. popular interests" historiographical debate below. — Library of Congress, "Rhode Island and the Ratification of the Constitution" collection notes, accessed 2026.*

The Delegates

- 55 delegates: all White, all male, mostly college-educated, wealthier than average, averaging in their early 40s.
- **George Washington** unanimously elected chairperson; **Benjamin Franklin** (age 81) provided a calming, unifying presence.
- Key drafters: **James Madison** ("Father of the Constitution"), **Alexander Hamilton**, **Gouverneur Morris**, **John Dickinson**.
- **Notably absent:** John Jay, Thomas Jefferson, John Adams (abroad on diplomatic business), Thomas Paine (in Europe); Samuel Adams and John Hancock weren't chosen; **Patrick Henry** refused to attend because he opposed growing federal power.
- Meetings were held in **secret** — no public communication until finished (Madison's private notes are our main historical source).

For essay writing: the "who's missing" list is not trivia — it's a direct preview of the Anti-Federalist coalition. Patrick Henry and George Mason (also a delegate who refused to sign the final document) became two of the most prominent Anti-Federalist voices during ratification. The Convention's composition — wealthy, nationalist-leaning, meeting in secret — is itself Exhibit A in the historiographical debate below.

Key Issues at the Convention

- **Purpose fight:** Nationalists (Madison, Hamilton) wanted an entirely new document based on **federalism** (a strong but limited central government), not just a revision — and they won control of the convention.
- **Separation of powers / checks and balances:** delegates, distrustful of concentrated power, divided government into branches, each able to limit the others.
- **Representation:**
 - **Virginia Plan** (Madison): favored large states — representation by population.
 - **New Jersey Plan:** favored small states — equal representation.
 - **Connecticut Plan / Great Compromise** (Roger Sherman): bicameral Congress — equal representation (2 per state) in the **Senate**, population-based representation in the **House of Representatives**.
- **Slavery:**
 - **Three-Fifths Compromise:** each enslaved person counted as 3/5 of a person for both taxation and representation purposes (a compromise between South's wish to count them fully for representation and North's wish not to count them at all).

- **Slave trade compromise:** importation of enslaved people guaranteed to continue for at least 20 more years (until 1808), after which Congress could vote to ban it.

OUTSIDE SOURCE — Beyond AMSCO — the Three-Fifths Compromise's real, quantifiable political effect: This wasn't a symbolic concession — it structurally inflated Southern political power for decades. After the 1800 Census, Pennsylvania's free population was about 10% larger than Virginia's total population, yet Pennsylvania received roughly 20% fewer electoral votes, because Virginia's enslaved population (counted at three-fifths) padded its representation. Counting enslaved people this way is estimated to have added around 13 extra members to the House and 18 extra presidential electors from slave states during the era's political calculations. A strong essay uses these specific numbers rather than just saying the compromise "favored the South." — U.S. House of Representatives Office of the Historian and University of Wisconsin Center for the Study of American Constitutionalism (CSAC), "The Impact of the Three-fifths Clause on Representation in the U.S. House of Representatives, 1793," accessed 2026.

- **Trade — Commercial Compromise:** The northern states wanted the central government to regulate interstate commerce and foreign trade. The south was afraid that export taxes would be placed on its agricultural products such as tobacco and rice. The **Commercial Compromise** allowed Congress to regulate interstate and foreign commerce, including placing tariffs (taxes) on foreign imports, but it prohibited placing taxes on any exports.
- **The Presidency:** The delegates debated over the president's term of office. Some argued that the chief executive should hold office for life. The delegates limited the president's term to four years but with no limit on the number of terms. They also debated the method for electing a president. Rather than having voters elect a president directly, the delegates decided to assign to each state a number of electors equal to the total of that state's representatives and senators. This **Electoral College system** was instituted because the delegates feared that too much democracy might lead to mob rule. Finally, the delegates debated what powers to give the president. They finally decided to grant the president considerable power, including the power to veto acts of Congress.
- **Ratification Procedure:** On September 17, 1787, after 17 weeks of debate, the Philadelphia convention approved a draft of the Constitution to submit to the states for ratification. Anticipating opposition, the Framers (delegates) specified in Article VII that a favorable vote of only nine states out of 13 was required for ratification. Each state would hold popularly elected conventions to debate and vote on the proposed Constitution.

Historiography: Was the Constitution Democratic, or an Elite Economic Project?

This is one of the most-taught historiographical debates in all of APUSH, and it directly extends Topic 3.7's "Critical Period" debate — treat them as one continuous argument in an essay if the prompt allows it.

- **Charles Beard's economic interpretation (1913):** In *An Economic Interpretation of the Constitution of the United States*, historian **Charles A. Beard** argued the delegates were not disinterested statesmen but men with direct personal financial stakes in a stronger national government — holders of public securities ("personalty": bonds, manufacturing, shipping, money loaned at interest) who stood to benefit personally from a government that could tax, regulate commerce, and pay off war debt at face value. Beard argued the Constitution's checks and balances were specifically designed to prevent popular majorities (indebted farmers, holders of "realty"/land) from threatening those financial interests.

OUTSIDE SOURCE — Beyond AMSCO: Beard's thesis was hugely influential for decades but was later challenged on the evidence itself. Historian **Forrest McDonald**, in *We the People: The Economic Origins of the Constitution* (1958), went through the delegates' actual individual finances and argued the personalty/realty (bonds vs. land) split Beard described didn't hold up — many delegates held both kinds of property, and voting patterns at the Convention didn't cleanly track personal wealth the way Beard claimed. Most historians today treat Beard's thesis as an important provocation rather than a proven fact: economic interest was one real factor among several (also including regional interest, political philosophy, and genuine concern about the Articles' failures), not the sole hidden explanation. This nuance — "partially right, overstated as a single-cause claim" — is exactly the kind of complex understanding that earns the AP rubric's sophistication point. — Charles A. Beard, *An Economic Interpretation of the Constitution of the United States* (1913), Constitution Center historic document library; Forrest McDonald, *We the People* (1958), cross-referenced via Wikipedia's summary of the historiographical reception, accessed 2026.

Federalists and Anti-Federalists

Ratification was fiercely debated for almost a year, from September 1787 until June 1788. Supporters of the Constitution and its strong federal government were known as **Federalists**. Opponents who feared that new government would be too strong were known as **Anti-**

Federalists. Federalists were most common along the Atlantic Coast and in the large cities, while Anti-Federalists tended to be small farmers and settlers on the western frontier.

Issue	Federalists	Anti-Federalists
Position on Constitution as proposed	Supported ratification	Opposed ratification
Arguments	A stronger central government was needed to maintain order and preserve the Union	A stronger central government would destroy the work of the Revolution, limit democracy, and restrict states' rights
Strategies	Emphasized the weaknesses of the Articles of Confederation; portrayed Anti-Federalists as merely negative opponents with no solutions	Argued that the proposed Constitution contained no bill of rights to protect individual freedoms; claimed the proposed Constitution gave the central government more power than the British ever had
Advantages	Strong leaders, well-organized, widespread concern about the problems under the Articles	Widespread distrust of government power because of experiences as colonists
Disadvantages	The Constitution was new and untried; the original Constitution lacked a bill of rights	Less united than the Federalists

The Federalist Papers

A key element in the Federalist campaign for the Constitution was a series of 85 highly persuasive essays written for New York newspapers by **James Madison**, **Alexander Hamilton**, and **John Jay** under the shared pseudonym "Publius," later published in book form as **The Federalist Papers**.

OUTSIDE SOURCE — Beyond AMSCO — Federalist No. 10, the most-quoted essay in the series: Madison directly confronted the Anti-Federalist fear that a large republic couldn't survive, by redefining the problem. He defined a **faction** as "a number of citizens, whether amounting to a majority or a minority of the whole, who are united and actuated by some common impulse of passion, or of interest, adverse to the rights of other citizens, or to the permanent and aggregate interests of the community." His key move: factions are inevitable because "the latent causes of faction are ... sown in the nature of man" — you can't remove the causes of faction without removing liberty itself, so the only realistic fix is to control faction's effects. His solution was counterintuitive at the time: make the republic **larger**, not smaller, so that so many competing factions exist that no single one can easily form a tyrannical majority. This is the direct rebuttal to Brutus No. 1 below — know both sides of this exact exchange for an essay. — James Madison, Federalist No. 10 (1787), Bill of Rights Institute primary source library, accessed 2026.

The Anti-Federalist Counter-Argument

OUTSIDE SOURCE — Beyond AMSCO: The most influential Anti-Federalist essay was **Brutus No. 1** (published anonymously, likely by New York judge **Robert Yates**, October 1787). Brutus argued the opposite of Federalist 10: history showed that free republics only survive at a **small** scale, because representatives in a small republic stay close and accountable to the people, while a republic as vast as the proposed United States would inevitably grow too distant and powerful to preserve real self-government — citing Greek and Roman republics that "changed from free governments to tyrannical ones" once they expanded. Brutus also specifically warned about the broad, vaguely worded powers given to the new national judiciary and the absence of a bill of rights — objections that turned out to be politically decisive (see below). — Brutus No. 1 (1787), Teaching American History and Bill of Rights Institute primary source collections, accessed 2026.

Comparison point for an essay: Federalist 10 and Brutus No. 1 aren't just two opinions — they represent a genuine, irreconcilable disagreement about what actually protects liberty: Madison says *scale and diversity* of interests protects liberty (a large republic dilutes any one faction's power); Brutus says *closeness and smallness* protects liberty (a representative who lives among his constituents can't get away with betraying them). Both are internally logical. A strong essay explains *why* each side found their own argument convincing, not just what each side said.

The Path to Ratification and the Bill of Rights Promise

- The Federalists won early victories in Delaware, New Jersey, and Pennsylvania — the first three states to ratify.
- **Debate on a Bill of Rights:** the Anti-Federalists' single most effective argument was that the proposed Constitution lacked a list of

specific protected rights. Federalists initially responded that since Congress would be elected by the people, it didn't need to be restrained against itself, and that listing some rights might imply unlisted ones weren't protected. This response did not satisfy public opinion.

- To win support, the Federalists promised to add a bill of rights as the first order of business for a new Congress (see Topic 3.9).
- **June 1788:** New Hampshire became the 9th state to ratify — technically enough for the Constitution to take effect.
- **Virginia:** Anti-Federalists **George Mason** and **Patrick Henry** opposed; Federalists **Washington, Madison, and John Marshall** won a close vote only after promising a bill of rights.
- News of Virginia's vote (plus Alexander Hamilton's efforts) swung **New York**.
- **North Carolina (November 1789)** and **Rhode Island (May 1790)** reversed earlier rejections and became the last two states to ratify.

Terms and Actors

Term/Person	What it is	Why it's contested or often confused
Virginia Plan	Madison's large-state proposal for a national legislature by population	Often confused with the final Constitution itself — it's the opening bid, not the outcome; the Great Compromise blended it with the New Jersey Plan
Great Compromise	Bicameral Congress: equal Senate, proportional House	Students often can name it but not explain <i>why</i> it satisfied both sides — it's a genuine both/and solution, not a 50/50 split
Three-Fifths Compromise	Enslaved people counted at 3/5 for taxation <i>and</i> representation	Often mistakenly described as only about representation — it applied to taxation too, and its representation effect concretely inflated Southern political power for decades (see the callout above)
Charles Beard	Historian who argued the Constitution served delegates' financial self-interest	His thesis is often taught as settled fact; historians (Forrest McDonald) have significantly complicated it — the strongest essays note the debate itself rather than picking one side as "correct"
Federalist Papers	85 essays by "Publius" (Madison, Hamilton, Jay) defending the Constitution	Often treated as neutral explanation of the Constitution — they were persuasive political advocacy written to win a specific ratification fight in specific states (NY especially), not a disinterested manual
Brutus No. 1	Leading Anti-Federalist essay warning against a large republic	Frequently underused in essays compared to Federalist 10 — pairing them is a strong, specific comparison move
Bill of Rights promise	Federalist concession to secure ratification, esp. in Virginia and Massachusetts	Sometimes framed as generous Federalist goodwill — it was a strategic concession made only once ratification was genuinely at risk

LEQ/DBQ-Style Practice Prompts

1. **Evaluate the extent to which** the Constitutional Convention's compromises reflected a genuine balance of competing interests versus the dominance of a single interest group. *(A strong thesis picks a specific compromise — e.g. the Three-Fifths Compromise — and argues concretely whether it was balanced or one-sided, using the quantified electoral-vote evidence above.)*
2. **Compare** the Federalist and Anti-Federalist visions of what protects liberty in a republic. *(A strong thesis uses the actual Federalist 10 / Brutus No. 1 disagreement — scale vs. closeness — rather than a generic "big government vs. small government" framing.)*
3. **Explain the extent to which** the Constitution of 1787 was a democratic document. *(A strong thesis directly engages the Beard/McDonald historiographical debate as evidence — e.g. arguing the Convention was elite-driven in composition and process but produced a document whose ratification process was, for its time, unusually participatory via state conventions.)*

Quick Review Questions

1. Why did the Great Compromise satisfy both large and small states?
2. What was the Three-Fifths Compromise's actual, quantifiable effect on national political power, beyond the general statement that it "favored the South"?
3. What is the core disagreement between Federalist No. 10 and Brutus No. 1 about what protects liberty in a republic?
4. What was the Anti-Federalists' strongest argument, and how did the Federalists ultimately neutralize it?

5. How has Charles Beard's economic interpretation of the Constitution been challenged by later historians, and why does that matter for how you'd answer an essay on this topic?

Recommended Videos

- **Heimler's History — "The CONSTITUTIONAL CONVENTION and Debates Over RATIFICATION [APUSH Review Unit 3 Topic 8]"** (YouTube). Direct topic match; covers representation, slavery compromises, and the Federalist/Anti-Federalist ratification fight in Heimler's standard AP-aligned review format. — Verified via search, 2026.
- **Steve Heimler (@steveheimler), TikTok — "Three major compromises in the Constitution you need to know for APUSH Unit 3."** A short, direct drill on the Great Compromise, Three-Fifths Compromise, and Commercial Compromise — useful as a fast pre-exam refresher alongside the full video above. — Verified via search, 2026.

One Thing to Remember

The Constitution wasn't the *only* possible answer to the Articles' failures — it was the answer that a narrow, wealthy, secretive convention of 55 men reached through compromise, and every one of those compromises (Great, Three-Fifths, Commercial) bought unity today at the price of a fight postponed to later — several of which (slavery above all) the country is still working through.