

Three-fifths compromise

From Wikipedia, the free encyclopedia

The **Three-Fifths Compromise** was a compromise between Southern and Northern states reached during the Philadelphia Convention of 1787 in which three-fifths of the population of slaves would be counted for enumeration purposes regarding both the distribution of taxes and the apportionment of the members of the United States House of Representatives. It was proposed by delegates James Wilson and Roger Sherman.

Delegates opposed to slavery generally wished to count only the free inhabitants of each state. Delegates supportive of slavery, on the other hand, generally wanted to count slaves at their actual numbers. Since slaves could not vote, slaveholders would thus have the benefit of increased representation in the House and the Electoral College; taxation was only a secondary issue. The final compromise of counting "all other persons" as only three-fifths of their actual numbers reduced the power of the slave states relative to the original southern proposals, but is still generally credited with giving the pro-slavery forces disproportionate political power in the U.S. government from the establishment of the Constitution until the Civil War. For example, in the period prior to 1850, southerners held the Presidency for 50 of 62 years, and 18 of the 31 Supreme Court Justices were southerners despite the north having nearly twice the population by 1850.

The three-fifths compromise is found in Article 1, Section 2, Paragraph 3 of the United States Constitution:

"Representatives and direct Taxes shall be apportioned among the several States which may be included within this Union, according to their respective Numbers, which shall be determined by adding to the whole Number of free Persons, including those bound to Service for a Term of Years, and excluding Indians not taxed, **three fifths of all other Persons.**"

Background

The three-fifths ratio was not a new concept. It originated with a 1783 amendment proposed to the Articles of Confederation. The amendment was to have changed the basis for determining the wealth of each state, and hence its tax obligations, from real estate to population, as a measure of ability to produce wealth. The proposal by a committee of the Congress had suggested that taxes "shall be supplied by the several colonies in proportion to the number of inhabitants of every age, sex, and quality, except Indians not paying taxes." The South immediately objected to this formula since it would include slaves, who were viewed primarily as property, in calculating the amount of taxes to be paid. As Thomas Jefferson wrote in his notes on the debates, the southern states would be taxed "according to their numbers and their wealth conjunctly, while the northern would be taxed on numbers only."

After proposed compromises of 1/2 by Benjamin Harrison of Virginia and 3/4 by several New Englanders failed to gain sufficient support, Congress finally settled on the three-fifths ratio proposed by James Madison. But this amendment ultimately failed, falling two states short of the unanimous approval required for amending the Articles of Confederation (only New Hampshire and New York were opposed).

The proposed ratio was, however, a ready solution to the impasse that arose during the Constitutional Convention. In that situation, the alignment of the contending forces was the reverse of what had obtained under the Articles of Confederation. In amending the Articles, the North wanted slaves to count for more than the South did, because the objective was to determine taxes paid by the states to the federal government. In the Constitutional Convention, the more important issue was representation in Congress, so the South wanted slaves to count for more than the North did.

Effects

The three-fifths ratio, or "Federal ratio" had a major effect on pre-Civil War political affairs due to the disproportionate representation of slaveholding states. For example, in 1793 slave states would have been apportioned 33 seats in the House of Representatives had the seats been assigned based on the free population; instead they were apportioned 47. In 1812, slaveholding states had 76 instead of the 59 they would have had; in 1833, 98 instead of 73. As a result, southerners dominated the Presidency, the Speakership of the House, and the Supreme Court in the period prior to the Civil War.

Historian Garry Wills has postulated that without the additional "slave" votes, Jefferson would have lost the presidential election of 1800. Also, "...slavery would have been excluded from Missouri...Jackson's Indian removal policy would have failed...the Wilmot Proviso would have banned slavery in territories won from Mexico....the Kansas-Nebraska bill would have failed...." However, other historians have criticized Wills's analysis as simplistic. For example, while the three-fifths compromise could be seen to favor Southern states (which generally had larger slave populations), the Connecticut compromise tended to favor the Northern states (which were generally smaller). Support for the new Constitution rested on the balance of these sectional interests.

Superseded

Following the Civil War and the abolition of slavery by the Thirteenth Amendment to the United States Constitution (1865), the three-fifths clause was rendered moot. Section 2 of the Fourteenth Amendment to the United States Constitution (1868) later superseded Article 1, Section 2, Clause 3. It specifically states that "*Representatives shall be apportioned ...counting the whole number of persons in each State, excluding Indians not taxed...*"