

Notes — Week 6

Michael Brodskiy

Instructor: Mr. Bradshaw

Period 3

- The three-fifths compromise relates to representation and taxes (not the humanity of any people)
- The original constitution never uses the word “slave”
- Through the Great Compromise, one country was formed out of thirteen
- Ohio, Indiana, Illinois, Michigan, and Wisconsin became what was initially the Northwest Territory
- Under the Northwest Ordinance of 1787, all new states were brought in on an equal basis with the initial states, and slavery was not allowed
- By 1804, all northern states got rid of slavery
- Three-Fifths Compromise & Taxes:
 - North: 0% representation for slaves unless they are freed and made citizens, then 100%. There was a 100% tax on the importation of people
 - South: 100% representation of slaves in Congress. 0% taxes on people imported
- Slavery relies on positive law
 - States had to pass positive laws to allow slavery, or negative laws to forbid it
- Militia \neq Army (Militias are private citizens)
- During the Revolutionary War, in the North, African-Americans were given freedom if they fought for the American side
- 20% of George Washington’s Northern Army was made up of African-Americans
- South Carolina and Georgia fought to keep their slaves and the ability to import them
- Northern states set their antislavery date to 1804 at the latest

- James Madison is the father of the Constitution
- Madison believed that slaves could not be labeled property because they were not consumable or merchandise
- Everything in Article 1 Section 8 is an example of positive law, while Article 1 Sections 9 and 10 are examples of negative law
- Bill of Rights (First Ten Amendments)
 - No person's rights are absolute
 - Courts help find the balance between order and liberty (find limits to rights and determine what is reasonable)
 - Unreasonable Searches — We are protected by the fourth amendment from unreasonable searches. Penalty: If the search is found unreasonable, all evidence can be thrown out by the judge (exclusionary rule)
 - For double-jeopardy to apply, there must be a verdict in the case
- Militias are civilian-based