

## **The Three-Fifths Compromise**

The Three-Fifths Compromise outlined the process for states to count slaves as part of the population in order to determine representation and taxation for the federal government. The Southern states wanted to count all slaves toward the population for representation purposes but did not want to be taxed on the slaves because they considered them property. The Northern states did not want all the slaves counted toward the population because that would take representation away from the North, but that was outweighed by the North's attempts to shift the burden of taxation off themselves.

The South's argument, if attempted in the modern nation, would not be far off from counting family pets as part of the population for representation purposes but not wanting to be taxed on Fido and Fluffy. The two sides of the argument agreed to count three out of every five slaves toward state populations and for taxation.

## **Two Constitutions**

The Articles of Confederation, ratified in 1781, based taxation off land value in each state. When the Articles faltered and were replaced by the ratification of the United States Constitution in 1789, the Founders decided that taxation should be based on population rather than land value. This change brought the issue of slavery to the national and political stage.

Under the Articles, states were able to undervalue their land to decrease the amount of taxes they were responsible to pay. An underfunded Continental Congress had to look into the situation and find a solution. Northern states wanted to count slavery in high numbers because that would put more of a tax burden on the South and less on the North. Southern states wanted to use slaves as part of the population for representation, but the tax issue was not very popular to the South.

James Madison offered the idea of counting three out of five slaves toward the population, which was a compromise between the Northern desire of counting three out of four slaves for taxation and the Southern plan of counting one out of four slaves for taxation. Counting three out of five slaves toward each state's population was agreed to by all states except New Hampshire and Rhode Island. The Articles of Confederation required a unanimous vote to pass an amendment, so the ruling was shot down.

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While drafting the constitution in 1787, the Founding Fathers understood that there had to be a decision on slavery and representation if they were to change the tax code. The decision to count three out of five slaves as members of the population greatly benefited the Southern states. Prior to slaves counting toward the population, the Southern states occupied 38% of the seats in the House. After slaves were counted, Southern states' representation in the House went up to 45% in 1790.