



On CREATING THE U.S. CONSTITUTION

Commentary of Delegates & Observers, May–November 1787 (EXCERPTS)

After meeting on ninety-seven days from May 25 to September 17, 1787, the Constitutional Convention adopted a new plan of government to submit to the states for their approval or rejection. It had been an arduous and contentious process, sustained through debate and compromise—and the realization that failure to revise or replace the moribund Articles of Confederation could doom the new nation to “anarchy and confusion,” as George Washington feared. Because the fifty-five delegates agreed to keep their deliberations secret, little was known of their progress and setbacks until after the convention adjourned. Collected here are statements from delegates and others that reveal the anxious yet exhilarating process of creating a government from scratch.

- *“much is expected from it by some”* George Washington, Virginia delegate & convention chairman, Philadelphia, to Thomas Jefferson, Paris,¹ 30 May 1787_

The business of this convention is as yet too much in embryo [too early] to form any opinion of the conclusion. Much is expected from it by some, not much by others, and nothing by a few. That something is necessary none will deny, for the situation of the general government, if it can be called a government, is shaken to its foundation and liable to be overturned by every blast. In a word, it is at an end, and unless a remedy is soon applied, anarchy and confusion will inevitably ensue.

- *“the great business now before us”* George Mason, Virginia delegate, to George Mason, Jr., 1 June 1787_

. . . America has certainly, upon this occasion, drawn forth her first characters. There are upon this Convention many gentlemen of the most respectable abilities, and so far as I can discover, of the purest intentions. The eyes of the United States are turned upon this assembly, and their expectations raised to a very anxious degree.

May God grant we may be able to gratify them by establishing a wise and just government. For my own part, I never before felt myself in such a situation and declare I would not, upon pecuniary [financial] motives, serve in this convention for a thousand pounds per day. The revolt from Great Britain and the formations of our new governments at that time were nothing compared to the great business now before us. There was then a certain degree of enthusiasm, which inspired and supported the mind, but to view through the calm, sedate medium of reason the influence which the establishment now proposed may have upon the happiness or misery of millions yet unborn is an object of such magnitude as absorbs, and in a manner suspends the operations of the human understanding . . .

- *“all united in their objects”* Benjamin Rush, Philadelphia, to Richard Price,² England, 2 June 1787_

Dr. [Benjamin] Franklin³ exhibits daily a spectacle of transcendent benevolence by attending the Convention punctually, and even taking part in its business and deliberations. He says “it is the most

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¹ Jefferson was serving in France as an American diplomat.

² Not a delegate, Benjamin Rush was an influential Philadelphia physician and social reformer. Richard Price was a British clergyman who had vocally supported the American cause of independence.

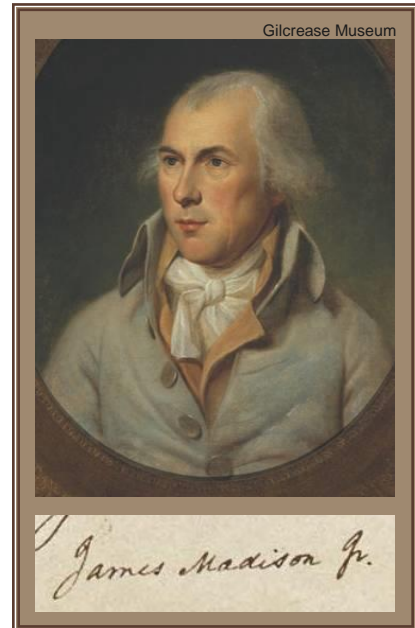
³ The “Dr.” was an honorific, a token of respect. Franklin did not have a medical or academic degree. Frail at age eighty-one, Franklin yet attended most of the convention sessions. He died three years later, in 1790.

august [honored] and respectable Assembly he ever was in in his life, and adds that he thinks they will soon finish their business as there are no prejudices to oppose nor errors to refute in any of the body.” Mr. [John] Dickinson (who is one of them) informs me that they are all *united* in their objects [goals], and he expects they will be equally united in the means of attaining them. Mr. [John] Adams’s book⁴ has diffused such excellent principles among us that there is little doubt of our adopting a vigorous and compounded federal legislature. Our illustrious minister [Adams] in this gift to his country has done us more service than if he had obtained alliances for us with all the nations of Europe.

■ **“eyes and hopes of all”**

James Madison, Virginia delegate,
to William Short,⁵ Paris, 6 June 1787_

The Convention has been formed about 12 days. It contains in several instances the most respectable characters in the U.S. and in general may be said to be the best contribution of talents the States could make for the occasion. What the result of the experiment may be is among the arcana [mysteries] of futurity. Our affairs are considered on all hands as at a most serious crisis. No hope is entertained from the existing Confederacy.⁶ And the eyes and hopes of all are turned towards this new assembly. The result therefore whatever it may be must have a material influence on our destiny, and, on that of the cause of republican liberty. The personal characters of the members promise much. The spirit which they bring with them seems in general equally promising. But the labor is great indeed, whether we consider the real or imaginary difficulties within doors or without doors.



■ **“an astonishing revolution”**

Alexander Hamilton, New York delegate, to George Washington, 3 July 1787_

In my passage through the Jerseys and since my arrival here [New York City], I have taken particular pains to discover the public sentiment and I am more and more convinced that this is the critical opportunity for establishing the prosperity of this country on a solid foundation. — I have conversed with men of information not only of this City but from different parts of the state, and they agree that there has been an astonishing revolution for the better in the minds of the people. The prevailing apprehension [concern] among thinking men is that the Convention, from a fear of shocking the popular opinion, will not go far enough. — They seem to be convinced that a strong well mounted government will better suit the popular palate [taste/opinion] than one of a different complexion. Men in office [in the states] are indeed taking all possible pains to give an unfavorable impression of the Convention, but the current seems to be running strongly the other way.

■ **“tend to inflame Curiosity”**

James Madison to Thomas Jefferson, Paris, 18 July 1787_

The Convention continue to sit and have been closely employed since the Commencement [beginning] of the Session. . . . It is not possible to form any judgment of the future duration of the Session. I am led by sundry [various] circumstances to guess that the residue [remainder] of the work will not be very quickly despatched [completed]. The public mind is very impatient for the event, and various reports are circulating which tend to inflame Curiosity. I do not learn however that any discontent is expressed at the concealment [of the convention’s deliberations] and have little doubt that the people will be as ready to receive as we shall be able to propose a Government that will secure their liberties & happiness.

♦ Oil portrait from life of James Madison by Charles Willson Peale, 1792. Reproduced by permission of the Gilcrease Museum, Tulsa, Oklahoma.

⁴ Like Jefferson, John Adams was serving as an American diplomat in Europe during the Constitutional Convention (in Adams’s case, in Britain). While there in 1787, he published *A Defense of the Constitutions of Government of the United States of America*.

⁵ William Short was Thomas Jefferson’s private secretary while Jefferson was an American diplomat in Paris, France.

⁶ *Confederacy*: the current non-centralized government under the Articles of Confederation.

- ***“the best that can be obtained at the present”*** George Washington to Henry Knox,⁷ 19 Aug. 1787_

By *slow*, I wish I could add, and *sure* movements, the business of the Convention progresses, but to say when it will end or what will be the result is more than I dare venture to do and therefore shall hazard no opinion thereon. If something good does not proceed from the Session, the defects cannot with propriety [fairness] be charged to the hurry with which the business has been conducted . . . I wish a disposition may be found in Congress, the several State Legislatures, and the community at large to adopt the Government which may be agreed on in Convention because I am fully persuaded it is the best that can be obtained at the present moment under such diversity of ideas as prevail.

- ***“not about to create a King”*** Alexander Martin, North Carolina delegate, to Gov. Caswell, 20 Aug. 1787_

Tho’ I have not told your Excellency affirmatively what the Convention have done, I can tell you negatively what they have not done. They are not about to create a King as hath been represented unfavorably in some of the eastern States, so that you are not to expect the Bishop Oznaburg⁸ or any prince or great man of the World to rule in this Country. The Public Curiosity will no doubt be gratified at the next Assembly [state legislature], perhaps before.

- ***“full of disputation and noisy as the Wind”*** William Paterson, New Jersey delegate, to Oliver Ellsworth, Connecticut delegate, 23 Aug. 1787_

What are the Convention about? When will they rise? Will they agree upon a System energetic and effectual, or will they break up without doing anything to the Purpose? Full of Disputation and noisy as the Wind, it is said, that you are afraid of the very Windows, and have a Man planted under them to prevent the Secrets and Doings from flying out. The Business, however, is detailed. I hope you will not have as much Altercation [discord] upon the Detail⁹ as there was in getting the Principles of the System.

- ***“foundation of a civil war”*** Elbridge Gerry, Massachusetts delegate,¹⁰ to his wife Ann Gerry, 26 Aug. 1787_

I am exceedingly distressed at the proceedings of the Convention, being apprehensive and almost sure they will — if not altered materially — lay the foundation of a civil War.

- ***“an assembly of demigods”*** Thomas Jefferson, Paris, to John Adams, London, 30 Aug. 1787_

I have news from America as late as July 19. Nothing had then transpired from the Federal Convention. I am sorry they began their deliberations by so abominable a precedent as that of tying up the tongues of their members. Nothing can justify this example but the innocence of their intentions, and ignorance of the value of public discussions. I have no doubt that all their other measures will be good and wise. It is really an assembly of demigods.

- ***“a blessing instead of a curse”*** David Humphreys¹¹ to Alexander Hamilton, 1 Sept. 1787_

I am happy to see you have (some of you) had the honest boldness to attack in a public Paper the Antifederal Dogmas of a great Personage in your State.¹² Go on & prosper. Were the men of talents & honesty throughout the Continent properly combined into one Phalanx [group], I am confident they would be competent to hew [cut] their way thro’ all opposition. Were there no little jealousies, bickerings, & unworthy sinister views to divert them from their object, they might by perseverance establish a Government calculated to promote the happiness of Mankind & to make the Revolution a blessing instead of a curse.

⁷ Not a delegate, Henry Knox served with Washington throughout the Revolutionary War and in 1789 was appointed the nation's first Secretary of War.

⁸ Rumors spread while the convention held its secret sessions that the delegates were planning a monarchical government and would urge the Bishop of Oznaburg (Germany)—the Duke of York, second son of King George III—to come to the U.S. and serve as its king.

⁹ Ellsworth served on the Committee of Detail that met in late July and early August to prepare a draft constitution.

¹⁰ The Anti-Federalists in this collection are delegates George Mason & Elbridge Gerry and non-delegates Richard Henry Lee & his brother Arthur Lee.

¹¹ Not a delegate. Humphreys had been an aide-de-camp to Washington during the Revolutionary War and at times during 1787 served as Washington's private secretary at Mount Vernon.

¹² Hamilton had published a lengthy rebuttal to New York governor George Clinton's objections to the Constitution (*The New York Daily Advertiser*, 21 July 1787).

■ ***“if the present moment be lost”***

James Madison to Thomas Jefferson, Paris, 6 Sept. 1787_

Nothing can exceed the universal anxiety for the event of the meeting here. Reports and conjectures abound concerning the nature of the plan which is to be proposed. The public however is certainly in the dark with regard to it. The Convention is equally in the dark as to the reception which may be given to it on its publication. All the prepossessions [predictions] are on the right side [i.e., for ratification], but it may well be expected that certain characters will wage war against any reform whatever. My own idea is that the public mind will now or in a very little time receive anything that promises stability to the public Councils & security to private rights, and that no regard ought to be had to local prejudices or temporary considerations. If the present moment be lost, it is hard to say what may be our fate. . . .

■ ***“approaching so near to perfection”***

Benjamin Franklin,
Address to the Convention,¹³ 17 Sept. 1787_

I confess that I do not entirely approve of this Constitution at present, but Sir, I am not sure I shall never approve it, for having lived long, I have experienced many Instances of being oblig’d, by better Information or fuller Consideration, to change Opinions, even on important Subjects, which I once thought right but found to be otherwise. It is therefore that the older I grow, the more apt I am to doubt my own Judgment and to pay more Respect to the Judgment of others. . . .

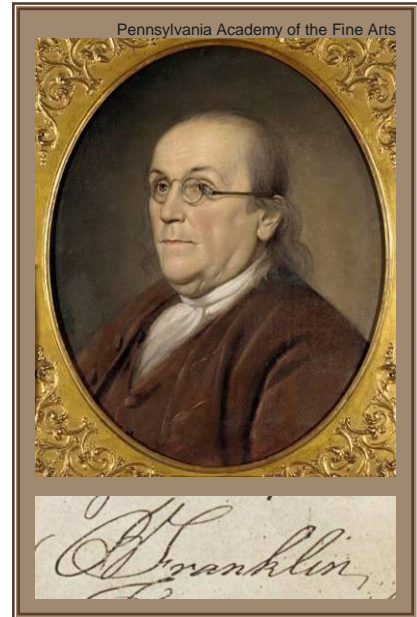
In these Sentiments, Sir, I agree to this Constitution with all its Faults, if they are such, because I think a General Government necessary for us, and there is no *Form* of Government but what may be a Blessing to the People if well administered; and I believe farther that this is likely to be well administered for a Course of Years, and can only end in Despotism as other Forms have done before it, when the People shall become so corrupted as to need Despotic Government, being incapable of any other. I doubt too whether any other Convention we can obtain may be able to make a better Constitution, for when you assemble a Number of Men to have the Advantage of their joint Wisdom, you inevitably assemble with those Men all their Prejudices, their Passions, their Errors of Opinion, their local Interests, and their selfish Views. From such an Assembly can a perfect Production be expected? It therefore astonishes me, Sir, to find this System approaching so near to Perfection as it does, and I think it will astonish our Enemies who are waiting with Confidence to hear that our Councils are confounded, like those of the Builders of Babel, and that our States are on the Point of Separation, only to meet hereafter for the Purpose of cutting one another’s Throats. Thus I consent, Sir, to this Constitution because I expect no better, and because I am not sure that it is not the best. . . .

On the whole, Sir, I cannot help expressing a Wish that every Member of the Convention who may still have Objections to it would with me on this Occasion doubt a little of his own Infallibility and, to make *manifest* our *Unanimity*, put his Name to this Instrument.—

■ ***“received the unanimous assent of 11 States”***

George Washington, Diary, 17 Sept. 1787_

Met in Convention when the Constitution received the unanimous assent of 11 States and Col. [Alexander] Hamilton’s from New York (the only delegate from thence in Convention) and was subscribed to [signed] by every Member present except Gov. [Edmund] Randolph and Col. [George]



♦ Oil portrait from life of Benjamin Franklin by Charles Willson Peale, 1785. Reproduced by permission of the Pennsylvania Academy of the Fine Arts. Bequest of Mrs. Sarah Harrison (The Joseph Harrison, Jr., Collection), 1912.14.2.

¹³ Read by the Pennsylvania delegate James Wilson at the request of Franklin, who at age 81 was in declining health.

Mason from Virginia — & Mr. [Elbridge] Gerry from Massachusetts. The business being thus closed, the Members adjourned to the City Tavern, dined together and took a cordial leave of each other. — after which I returned to my lodgings — did some business with and received the papers from the secretary of the Convention, and retired to meditate on the momentous work which had been executed after not less than five, for a large part of the time six, and sometimes 7 hours sitting every day, Sundays & the ten days adjournment to give a Committee opportunity & time to arrange the business for more than four months.

■ ***“a republic, if you can keep it”***

James McHenry, Maryland delegate, Anecdote, 18 Sept. 1787_

A lady asked Dr. Franklin, “Well, Doctor, what have we got, a republic or a monarchy?” A republic,” replied the Doctor, “if you can keep it.”

■ ***“we have, however, done our best”***

Benjamin Franklin to his sister, Jane Mecom, 20 Sept. 1787_

The Convention finish'd the 17th Instant [of this month]. I attended the Business of it 5 Hours in every Day from the Beginning, which is something more than four Months. You may judge from thence that my Health continues. Some tell me I look better, and they suppose the daily Exercise of going & returning from the Statehouse has done me good. — You will see the Constitution we have propos'd in the Papers. The Forming of it so as to accommodate all the different Interests and Views was a difficult Task: and perhaps after all it may not be receiv'd with the same Unanimity in the different States that the Convention have given the Example of in delivering it out for their Consideration. We have, however, done our best and it must take its chance. . . .

■ ***“we have no doubt of its being adopted”***

Robert Milligan to William Tilghman,¹⁴ 20 Sept. 1787_

The convention is at last risen [adjourned] — their plan of Federal government is applauded here for its moderation, & we have no doubt of its being adopted—I shall deliver a copy to the post for you— When all was ready for signing — three of the members flew off—[Edmund] Randolph & [George] Mason from Virginia, & [Elbridge] Geary from Boston. — the last mention'd is a mere insect without any sort of consequence — Mason has not been cordial in any part of the business. Randolph has been one of the most active persons in Convention, & much was expected from his support in Virginia. All at once he became an apostate [deserter]. He is said to be afraid of the democracy,¹⁵ & Patrick Henry, be this as it will, he has completely blasted himself here — We entertain hopes that New York will be the only refusing state —

[P.S.] It is said that Genl. Washington has given assurances that he will serve as President.¹⁶

■ ***“this event is so new”***

St. Jean de Crèvecoeur, New York, to le Maréchal de Castries, Paris,¹⁷ 25 Sept. 1787_

People await with the greatest impatience the result of the long Sessions of the federal Convention which, by the merit, experience & talents of the 54 Members which compose it, can be regarded as the collective Wisdom of the Continent. It was presided over, as you perhaps knew, by General Washington, whom the voice of his country made come out of his retirement a second time. The Vice President is the Celebrated Doctor Franklin, & a large number of the other members of this Convention are or have been Governors of several of the States. . . .

The instant that I was ending my Letter, I received from General [Henry] Knox the copy of the new Constitution which the federal Convention has just transmitted to Congress, & which is going to be placed before the view of the Legislatures of all the States. This event is so new, so interesting to humanity in General, as well as to the inhabitants of this new part of the world, that I was unable to

¹⁴ Not convention delegates, both men were lawyers and Federalists, Milligan in Philadelphia and Tilghman in Maryland.

¹⁵ I.e., popular governance by those insufficiently educated or self-disciplined for public office.

¹⁶ “There is no evidence that Washington gave any such ‘assurances.’ However, it had been rumored for weeks that Washington would probably be the first President.” *The Documentary History of the Ratification of the Constitution Digital Edition*, ed. John P. Kaminski, Gaspare J. Saladino, Richard Leffler, Charles H. Schoenleber and Margaret A. Hogan (Charlottesville: University of Virginia Press, 2009), (XIII:1)

¹⁷ Not a delegate, St. Jean de Crèvecoeur was the author of *Letters of an American Farmer* (1782). Le Maréchal de Castries was a French official.

resist the desire to make an extract [summary] of it, which will be enough to give you a clear & distinct Idea of the new principles on which this new Constitution is based. — You can well observe, My Lord, that this is no longer a Confederation of 13 separate & distinct States. It is a new general Government, vested with Legislative, Judicial & Executive powers, sufficient to superintend the Interests of & protect all the States which will accede to it. Democracy has never before appeared under a similar form, & has never been so balanced.

■ ***“no mention was made of negroes”*** Benjamin Rush to John Coakley Lettson, London, 28 Sept. 1787_

To the influence of Pennsylvania chiefly is to be ascribed the prevalence of sentiments favorable to African liberty in every part of the United States.¹⁸ You will see a proof of their operation in the new constitution of the United States. In the year one thousand seven [*sic*] hundred and eight [i.e., 1808] there will be an end of the African trade in America. No mention was made of *negroes* or *slaves* in this constitution, only because it was thought the very words would contaminate the glorious fabric of American liberty and government. Thus you see the cloud which a few years ago was no larger than a man’s hand has descended in plentiful dews and at last cover’d every part of our land. . . .

Our new federal government is very acceptable to a great majority of our citizens and will certainly be adopted immediately by *nine*, and in the course of a year or 18 months by *all* the States. When this shall happen, *then* to be a citizen of the United States *with all its consequences* will be to be a citizen of the freest, purest and happiest government upon the face of the earth. It contains all the theoretical and practical advantages of the British constitution without any of its defects or corruptions. While the nations of Europe have waded into order through seas of *blood*, you see we have travelled peaceably into order only through seas of *blunders*

■ ***“a tyranny will result from it”*** Richard Henry Lee¹⁹ to George Mason, Virginia delegate, 1 Oct. 1787_

This Constitution has a great many excellent regulations in it, and if it could be reasonably amended would be a fine system. As it is, I think it is past doubt that, if it should be established, either a tyranny will result from it or it will be prevented by a civil war. I am clearly of opinion with you that it should be sent back with amendments reasonable, and assent to it withheld until such amendments are admitted.

■ ***“the germ of opposition”*** Henry Knox to George Washington, 3 Oct. 1787_

The germ of opposition [to the Constitution] originated in the Convention itself. The gentlemen who refused signing it will most probably conceive themselves obliged to state their reasons publicly.²⁰ The presses will groan with melancholy forebodings, and a party of some strength will be created. This is an evil, but it is an infinitely lesser evil than that we should have crumbled to pieces by mere imbecility.²¹ I trust in God that the foundation of a good national Government is laid. A way is opened to such alterations and amendments, from time to time, as shall be judged necessary; and the Government, being subjected to a revision by the people, will not be so liable to abuse. The first Legislature [Congress] ought to be the ablest and most disinterested men of the community. Every well-founded objection which shall be stated in the course of the discussions on the subject should be fairly considered, and such fundamental laws enacted as would tend to obviate [avoid] them.

■ ***“errors, gross as a Mountain”*** Arthur Lee,²² New York City, to John Adams, London, 3 Oct. 1787_

I enclose you the long expected production of the Convention. I am inclin’d to think you will deem it somewhat too Aristocratic. An Oligarchy²³ however I think will spring from it in the persons of the

¹⁸ With Benjamin Franklin, Rush was instrumental in founding the Pennsylvania Society for Promoting the Abolition of Slavery (1774), the first abolitionist society in the U.S. Pennsylvania was one of the first states to enact a process for the gradual emancipation of enslaved persons.

¹⁹ Not a convention delegate, Richard Henry Lee was a Virginia delegate to the Continental Congress in New York City.

²⁰ George Mason and Edmund Randolph from Virginia, and Elbridge Gerry from Massachusetts, were the delegates who refused to sign.

²¹ I.e., if we had not seen the necessity to revise the Articles of Confederation or create a new constitution.

²² Not a delegate, Arthur Lee was the youngest brother of Richard Henry Lee (then a Virginia delegate to the Continental Congress in New York City who became a leading Anti-Federalist spokesman).

²³ *Oligarchy*: government run by a small group of people, usually of the wealthy class.

President & Vice President, who, if they understand one another, will easily govern the two Houses to their will. The omission of a Declaration of rights — the appointment of a vice President whose sole business seems to be to intrigue — securing trial by Jury in criminal cases only — making the federal Court original instead of appellate, & that in the case of a Citizen of any State & one of another, & of a foreigner with the citizen of any State — the omission of a Council [cabinet] — & vesting legislative, executive & judicial Powers in the Senate — the making this Senate Counselors [advisors] to the President, & Judges on his impeachment which may happen to be for the very thing they have advis'd — are errors, if errors, gross as a Mountain. . . . From the present appearance of things, it seems probable it will become our Constitution just as is. No opposition is declar'd to it, but in Virginia where it will be oppos'd, I imagine by the Govr. [Edmund Randolph], R[ichard]. H[enry]. Lee, Mr. [George] Mason & Mr. [Patrick] Henry; & In this State, the Governor [George Clinton] & all his friends are in opposition.

■ ***“clashing interests”*** Pierce Butler, South Carolina delegate, to friend Weedon Butler, England, 8 Oct. 1787_

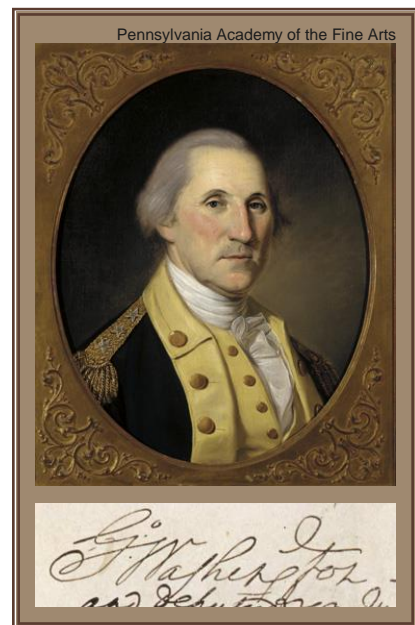
After four months close Confinement, We closed on the 17th of last month the business Committed to Us. If it meets with the approbation [approval] of the States, I shall feel myself fully recompensed for my share of the trouble, and a Summer's Confinement which injured my health much. . . .

. . . In passing judgment on it you must call to mind that we had Clashing Interests to reconcile — some strong prejudices to encounter, for the same spirit that brought settlers to a certain Quarter of this Country is still alive in it. View the system then as resulting from a spirit of Accommodation to different Interests, and not the most perfect one that the Deputies could devise for a Country better adapted for the reception of it than America is at this day, or perhaps ever will be. It is a great Extent of Territory to be under One free Government, the manners and modes of thinking of the Inhabitants, differing nearly as much as in different Nations of Europe. If we can secure tranquility at Home and respect from abroad, they will be great points gain'd.

■ ***“not free from imperfections”*** George Washington, Mount Vernon, to David Humphreys, 10 Oct. 1787_

The Constitution that is submitted is not free from imperfections. — but there are as few radical defects in it as could well be expected, considering the heterogeneous mass of which the Convention was composed and the diversity of interests that are to be attended to.

As a Constitutional door is opened for future amendments and alterations, I think it would be wise in the People to accept what is offered to them, and I wish it may be by as great a majority of them as it was by that of the Convention; but this is hardly to be expected because the importance and sinister views of too many characters will be affected by the change. Much will depend however upon literary [written/persuasive] abilities and the recommendation of it by good pens should be *openly*, I mean publicly afforded in the Gazettes [newspapers]. Go matters however as they may, I shall have the consolation to reflect that no objects but the public good — and that peace and harmony which I wished to see prevail in the Convention, obtruded [intruded] even for a moment in my bosom during the whole Session, long as it was —



■ ***“now before the judgment seat”*** George Washington to Henry Knox, 15 Oct. 1787_

The Constitution is now before the judgment seat. It has, as was expected, its adversaries and its supporters — which [of them]

♦ Oil portrait from life of George Washington by Charles Willson Peale, oil on canvas, 1787. Reproduced by permission of the Pennsylvania Academy of the Fine Arts. Bequest of Mrs. Sarah Harrison (The Joseph Harrison, Jr., Collection), 1912.14.3.

will preponderate is yet to be decided. The former [the adversaries], it is probable, will be most active because the Major part of them, it is to be feared, will be governed [motivated] by sinister and self important considerations on which no arguments will work conviction — the opposition from another class of them (if they are men of reflection, information and candor) may perhaps subside in the solution of the following plain, but important questions.

1. Is the Constitution which is submitted by the Convention preferable to the government (if it can be called one) under which we now live?
2. Is it probable that more confidence will at this time be placed in another Convention (should the experiment be tried) than was given to the last? and is it likely that there would be a better agreement in it? Is there not a Constitutional door open for alterations and amendments, & is it not probable that real defects will be as readily discovered after, as before, trial? and will not posterity [those in the future] be as ready to apply the remedy as ourselves, if there is occasion for it, when the mode is provided? To think otherwise will, in my judgment, be ascribing more of the *amor patria* [love of country] — more wisdom — and more foresight to ourselves than I conceive we are entitled to.

It is highly probable that the refusal of our Governor [of Virginia, Edmund Randolph] and Col. [George] Mason to subscribe to [sign] the proceedings of the Convention will have a bad effect in this State; for as you well observe, they *must* not only assign reasons for the justification of their conduct, but it is highly probable these reasons will appear in terrific array with a view to alarm the people. — Some things are already addressed to their fears and will have their effect. As far however as the sense of *this* part of the Country has been taken, it is strongly in favor of the proposed Constitution.

■ ***“the greatest men may err”*** Elbridge Gerry, Massachusetts delegate, to the state legislature, 18 Oct. 1787_

To this system I gave my dissent, and shall submit my objections to the honorable legislature.²⁴ It was painful for me, on a subject of such national importance, to differ from the respectable members who signed the constitution; but conceiving as I did that the liberties of America were not secured by the system, it was my duty to oppose it. . . .

My principal objections to the plan are that there is no adequate provision for a representation of the people — that they have no security for the right of election — that some of the powers of the legislature are ambiguous, and others indefinite and dangerous — that the executive is blended with and will have an undue influence over the legislature — that the judicial department will be oppressive — that treaties of the highest importance may be formed by the president with the advice of two-thirds of a *quorum* of the senate — and that the system is without the security of a bill of rights. These are objections which are not local, but apply equally to all the states. . . .

Should the citizens of America adopt the plan as it now stands, their liberties may be lost; or should they reject it altogether, anarchy may ensue. It is evident, therefore, that they should not be precipitate [hurried] in their decisions, that the subject should be well understood lest they should refuse to support the government after having hastily accepted it. . . .

It may be urged by some that an implicit confidence should be placed in the convention. But however respectable the members may be who signed the constitution, it must be admitted that a free people are the proper guardians of their rights and liberties — that the greatest men may err — and that their errors are sometimes of the greatest magnitude.

■ ***“many Interests to reconcile”*** Benjamin Franklin to Ferdinand Grand, Paris, 22 Oct. 1787_

I send you enclos'd the propos'd new Federal Constitution for these States. I was engag'd 4 Months of the last Summer in the Convention that form'd it. It is now sent by Congress to the several States for their Confirmation. If it succeeds, I do not see why you might not in Europe carry the Project of good

²⁴ See Gerry's Letter to the General Court [Assembly] of Massachusetts, November 1787. Also see George Mason 's Objections . . . to the Proposed Federal Constitution. Addressed to the Citizens of Virginia, October 1787.

Henry the 4th into Execution²⁵ by forming a Federal Union and One Grand Republic of all its different States & Kingdoms, by means of a like [similar] Convention, for we had many Interests to reconcile.

■ ***“degree of concord which . . . prevailed”***

James Madison to Thomas Jefferson, Paris, 24 Oct. 1787_

It appeared to be the sincere and unanimous wish of the Convention to cherish and preserve the Union of the States. No proposition was made, no suggestion was thrown out, in favor of a partition of the Empire [nation] into two or more Confederacies. . . .²⁶

This groundwork being laid, the great objects which presented themselves were

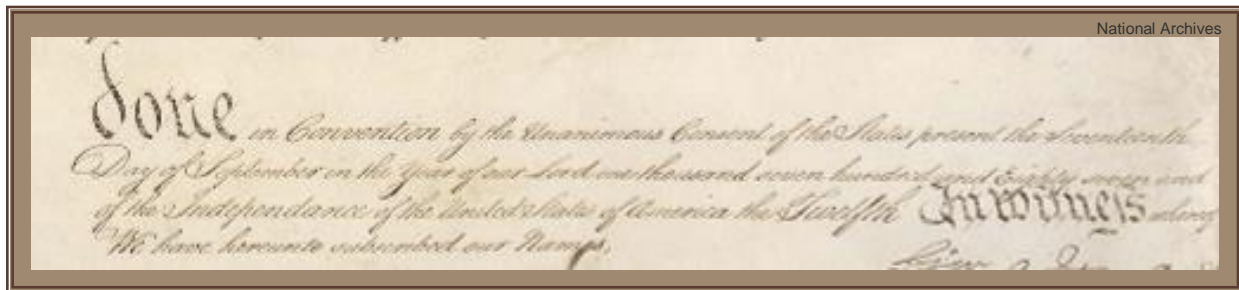
1. to unite a proper energy in the Executive and a proper stability in the Legislative departments, with the essential characters of Republican [representative] Government.
2. to draw a line of demarkation which would give to the General Government every power requisite for general purposes, and leave to the States every power which might be most beneficially administered by them.
3. to provide for the different interests of different parts of the Union.
4. to adjust the clashing pretensions of the large and small States. Each of these objects was pregnant [fraught/filled] with difficulties. The whole of them together formed a task more difficult than can be well conceived by those who were not concerned in the execution of it.

Adding to these considerations the natural diversity of human opinions on all new and complicated subjects, it is impossible to consider the degree of concord which ultimately prevailed as less than a miracle.

■ ***“it is much to be wondered at”***

George Washington to Mrs. Macaulay Graham,²⁷ England, 16 Nov. 1787_

You will undoubtedly, before you receive this, have an opportunity of seeing the Plan of Government proposed by the Convention for the United States. You will very readily conceive, Madam, the difficulties which the Convention had to struggle against. The various and opposite interests which were to be conciliated — the local prejudices which were to be subdued, the diversity of opinions and sentiments which were to be reconciled; and in fine [overall], the sacrifices which were necessary to be made on all sides for the General welfare, combined to make it a work of so intricate and difficult a nature that I think it is much to be wondered at that anything could have been produced with such unanimity as the Constitution proposed.



The Records of the Federal Convention of 1787 [Farrand's Records], ed. Max Farrand. New Haven: Yale University Press, 1911. Available online from the Library of Congress, American Memory, at memory.loc.gov/ammem/amlaw/lwfr.html.

Vol. II: Letter of Sept. 17 (Franklin).

Vol. III: Letters & Notes of May 30; June 1, 2, 6; July 3, 18, 27; Aug. 19, 20, 30; Sept. 6, 17 (Washington), 18, 20 (Franklin); Oct. 8, 10, 18, 22, 24; Nov. 16.

Supplement: Letters of Aug. 23, 26. [James Hutson, ed., *Supplement to Max Farrand's Records . . .*, Yale University Press, 1987]

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Letters of Sept. 1, 20 (Milligan), 25, 28; Oct. 1, 3 (Knox), 3 (Lee), 15.

²⁵ King Henri IV of France (reign: 1589-1610) aspired to create a permanent European alliance system.

²⁶ The option of dividing the nation into two or three independent nations as one way to address the challenges of governing under the Articles of Confederation, had been proposed by some.

²⁷ Catherine Macaulay Graham was an English political writer who corresponded with Washington and other Patriot leaders.