

Center *for the Study of the* American Constitution

NO. 10: WASHINGTON AND FRANKLIN IN THE CONSTITUTIONAL CONVENTION

When assessing the Constitutional Convention of 1787, among many initial considerations is who would serve as delegates. The Annapolis Convention (1786) called for a convention “to meet at Philadelphia on the second Monday in May next, to take into consideration the situation of the United States, to devise such further provisions as shall appear to them necessary to render the constitution of the Foederal Government (i.e., the Articles of Confederation) adequate to the exigencies of the Union.” Beginning in November 1786 six state legislatures responded to the Annapolis Convention’s call and appointed delegates to the Philadelphia Convention. After the Confederation Congress sanctioned the Convention on 21 February 1787, six more state legislatures would authorize delegates.

Many of these delegates would attract public and private attention before, during, and after the Convention. None, however, were so universally admired as George Washington and Benjamin Franklin due to their service in the Revolutionary War. As the Convention began, Benjamin Rush, writing under the pseudonym “Harrington,” observed that, since the Convention consisted of such an “illustrious body of patriots and heroes,” no one could “doubt of the safety and blessings of government we are to receive from their hands.”

WASHINGTON’S RETIREMENT DILEMMA

The Philadelphia Convention presented a significant set of dilemmas for George Washington. Although he had advocated strengthening the central government, for him to attend such a gathering would mean a return to public life. In his last circular letter to the states in June 1783, at the end of the Revolutionary War, Washington promised to return to Mount Vernon “to that domestic retirement, which . . . I left with the greatest reluctance; a retirement for which I have never ceased to sigh through a long and painful absence, in which (remote from the noise and trouble of the world) I meditate to pass the remainder of life, in a state of undisturbed repose.” Washington reiterated his intention to retire from public life when he surrendered his commission to Congress in December 1783. The events of the mid-1780s would test the limits of this commitment.

Even before there was a call for a constitutional convention, Secretary for Foreign Affairs John Jay wrote to Washington on 16 March 1786: “Altho’ you have wisely retired from public Employments, and calmly view from the Temple of Fame, the various Exertions of the Sovereignty and Independence which Providence has enabled You to be so greatly & gloriously instrumental in securing to your country; yet I am persuaded you cannot view them with the Eye of an unconcerned Spectator.” On 4 December 1786 the Virginia legislature unanimously appointed Washington as a delegate to the Philadelphia Convention. Three days later James Madison wrote to Washington explaining that “it was the opinion of every judicious friend whom I consulted that your name could not be spared from the Deputation to the Meeting in May in Philada.” Washington initially declined the appointment, whereupon Madison and others pressured him to attend the Convention.

In the winter of 1787 Washington sought advice from a few trusted friends, most notably David Humphreys and Henry Knox. On 20 January 1787, Humphreys advised Washington not to attend. The Convention would surely fail, and Washington’s prestige would be damaged. Once the Convention failed, Humphreys suggested that Washington would lead a military take over of the government. On 19 March 1787, Knox recommended that Washington not attend the Convention if it would only provide

a patch work revision of the Articles of Confederation. A thoroughly new constitution was necessary. Knox told Washington that, if the convention succeeded in creating “an energetic, and judicious system to be proposed with Your signature, it would be a circumstance highly honorable to your fame, in the judgement of the present and future ages; and doubly entitle you to the glorious republican epithet—The Father of Your Country.” Washington also felt that, if he did not attend and the Convention failed, he could be accused of wanting it to fail. Because he wanted it to succeed, Washington agreed to attend and was predictably elected president of the Convention.

FRANKLIN’S APPOINTMENT

Benjamin Franklin’s appointment to the Philadelphia Convention was not an issue of political calculation so much as an afterthought. It was believed that, if selected, the aged Franklin would decline the appointment. Franklin at that time was the president of the Pennsylvania Supreme Executive Council, but his old age and illness diminished his activities in that capacity. Following the provision of the Articles of Confederation that states elect from two to seven congressional delegates, the Pennsylvania Assembly appointed a full delegation of seven, omitting the elderly Franklin. When it was discovered that Franklin did, in fact, wish to serve as a delegate to the Convention, the Assembly, on 28 March 1787, appointed him as the eighth delegate, making the Pennsylvania delegation the largest at the Convention.

WASHINGTON AND FRANKLIN IN THE CONVENTION

Washington’s opinions concerning the plans and compromises of the Convention were the subject of much speculation. True to form, however, Washington said little during the formal debates. On one occasion his actions as Convention president demonstrated his stature among those gathered at Philadelphia. Before convening a session, Washington was alerted to a potential breach of security; notes of the proceedings had been discovered lying on the floor and were turned over to him. At the end of the session, Washington, upon leaving, threw the document on the table, picked up his hat, and sternly admonished the delegates “to be more careful, lest our transactions get into the News Papers, and disturb the public repose by premature speculations. I know not whose Paper it is, but there it is . . . let him who owns it take it.” No one claimed the paper though some believed the lost paper belonged to Franklin.

Washington’s social activities that summer included inspecting local militias, visiting factories and museums, attending concerts and socializing with delegates and friends. Before an extended recess of the Convention, Pennsylvania delegate Gouverneur Morris invited Washington to go fishing on his brother-in-law’s farm. After several refusals, Washington accepted the invitation when Morris noted that the well-stocked trout stream was near Valley Forge. Washington accepted the invitation and in an emotionally charged day, visited the historic site. On the way back to the farm, Washington stopped to talk with three farmers in a field about the planting and harvesting of buckwheat.

Franklin was limited by his age and ill health during the Convention. But his career as author, publisher, diplomat, scientist, and inventor lent no small degree of gravitas to the proceedings. Throughout the summer, when deliberations grew heated, Franklin would soothe tensions with humorous anecdotes and stories. At one particularly tense point in the debates over representation he even suggested that “prayers imploring the assistance of Heaven, and its blessings on our deliberations, be held in this Assembly every morning before we proceed to business.”

Near the end of the Convention and unable to stand and speak himself, fellow Pennsylvania delegate James Wilson read a speech written by Franklin that represented the elder statesman’s quintessential attempts to build consensus among the delegates. He noted that the proposed Constitution had “several parts . . . which I do not at present approve.” But, he doubted “whether any other Convention we can obtain, may be able to make a better Constitution.” Franklin concluded by suggesting “that for our own sakes as a part of the people, and for the sake of posterity, we shall act heartily and unanimously in recommending this Constitution.”

WASHINGTON AND FRANKLIN DURING THE RATIFICATION DEBATE

As the ratification debates evolved, the treatment of Washington and Franklin proved especially problematic for Anti-federalists. They argued that since Franklin was a dotard and Washington was a military man, and not a legislator, these statesmen had been duped. Additionally, Antifederalists maintained that too much was inferred by Washington and Franklin affixing their names to the Constitution. In an article appearing in the *Boston American Herald* on 19 No-

vember 1787, one Antifederalist concluded that Washington's and Franklin's signatures were not endorsements, but simple acts of being witnesses to the proposed Constitution. In the case of Washington, the writer noted, "this Great Man never gave an opinion upon the subject in Convention, and honoured it with his Signature merely in his capacity of PRESIDENT of that Body."

Federalists addressed Antifederalist qualms by continuously citing the past service of Washington and Franklin on behalf of the nation. They also argued that Washington's presence and his [17 September 1787](#) letter to the president of Congress illustrated his support for the Constitution, which should engender public confidence in the Constitution. In a piece appearing in the Boston *American Herald* on 1 October 1787, one Federalist writer concluded that the presence of Washington and Franklin at the Convention had secured "an auspicious omen of our future concord and felicity. We anticipate with pleasure the happy effects of your wisdom."

Franklin's last speech, delivered on [17 September 1787](#), became fodder in the ratification debate. In this familial appeal, Franklin noted that, although they could not produce a perfect system, he would consent to it and urged all of the delegates to sign the Constitution. For Antifederalists, Franklin's acquiescence was the resignation of an old man consequently this should be a warning to the public. Franklin's plea prompted Antifederalist writer "Z" to observe "No wonder he *shed a tear* . . . when he gave *his* sanction to the *New Constitution*." Federalists suggested that Franklin's deference to the collective wisdom of the Convention should be an example to the public in considering the new Constitution.

During the ratification debate, Washington refrained from making public statements about the Constitution, but his many private letters clearly demonstrated that he supported it. (See [George Washington and the Constitution](#)). One such letter was written on 14 December 1787 to fellow Virginian Charles Carter. After discussing farming matters at considerable length, Washington concluded by briefly giving his opinion that the Constitution was "The last time the *Americans* will have an opportunity, coolly, to set down, and agree upon a form of government." After the letter was printed in newspapers, an Antifederalist writing under the pseudonym "An American" concluded that this comment in a private letter revealed a veiled threat and suggested that Washington's statement was "The mode of expression from a Soldier,—from a Man, who . . . could call out many followers—from a Man, who stands in the public eye, the sole candidate for Chief Ruler of all the States." Federalist Alexander White rebutted and asked "Is it possible that a Washington and a Franklin could conspire to enslave their country?" "A Virginian" assured the public that "*Washington and Franklin* had by a long life of virtue and patriotism acquired reputations not to be extinguished but with the world." These statesmen now, "in their old age, with their mental faculties unimpaired," would never "lend the sanction of their names to establish a system of tyranny!" ■

BOSTON AMERICAN HERALD 1 OCTOBER 1787

The result of the Fœderal Convention has at length transpired . . . Its acceptance, will enroll the names of the WASHINGTONS and FRANKLINS, of the present age, with those of the SOLONS and NUMAS, of antiquity. The military virtues of the former; and the philosophic splendor of the latter, will be obscured by the new lustre they will acquire, as the Legislators of an immense continent.—Illustrious CHIEFTAIN! immortal SAGE!—ye will have the plaudit of the world for having twice saved your Country!—You have once preserved it against the dangers and misery of foreign domination; you will now save it from the more destructive influence of civil dissention. The unanimity you have secured in your deliberations, is an auspicious omen of our future concord and felicity.—

We anticipate with pleasure the happy effects of your wisdom.—The narrow, contracted politics, the sordid envy, the mean jealousy of little minds; the partial views, and the local prejudices, which have so long retarded the growth of this people, will be now annihilated.—

CENTINEL I **PHILADELPHIA INDEPENDENT GAZETTEER** 5 OCTOBER 1787

The late Convention have submitted to your consideration a plan of a new federal government.—The subject is highly interesting to your future welfare—Whether it be calculated to promote the great ends of civil society, *viz.*, the happiness and prosperity of the community; it behooves you well to consider, uninfluenced by the authority of names. . . .

These characters flatter themselves that they have lulled all distrust and jealousy of their new plan, by gaining the concurrence of the two men in whom America has the highest confidence, and now triumphantly exult in the completion of their long meditated schemes of power and aggrandizement. I would be very far from insinuating that the two illustrious personages alluded to, have not the welfare of their country at heart; but that the unsuspecting goodness and zeal of the one, has been imposed on, in a subject of which he must be necessarily inexperienced, from his other arduous engagements; and that the weakness and indecision attendant on old age, has been practiced on in the other.

**“Z,” BOSTON INDEPENDENT CHRONICLE
6 DECEMBER 1787**

When I read Dr. FRANKLIN’s address to the President of the late Convention, in the last Monday’s Gazette. . . . “I confess,” says the Doctor, (and observe the Printers tell us it was *immediately* before his signing) “I confess that I do not entirely approve of this Constitution at present.” Surely, I thought, no zealous fœderalist, in his right mind, would have exposed his cause so much as to publish to the world that this great philosopher *did not* entirely approve the Constitution at the very moment when his “hand marked” his approbation of it; especially after the fœderalists themselves had so often and so loudly proclaimed, that he had *fully* and *decidedly* adopted it. The Doctor adds, “I am not sure I shall never approve it.” This then is the only remaining hope of the fœderalists, so far as the Doctor’s judgment is or may be of any service to their cause, that one time or another he *may* approve the new Constitution.

Again, says the Doctor, “In these sentiments 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.” But are we to accept a form of government which we do not entirely approve of, merely in hopes that it *will* be administered well? . . .

The Doctor says, he is “*not* sure that this [is] *not* the best Constitution that we may expect.” Nor can he be sure that it might not have been made *better* than it now is, if the Convention had adjourned to a distant day that they might have availed themselves of the sentiments of the people at large. It would have been no great condescension, even in that *august* Body, to have shown so *small* a testimony of regard to the judgment of their constitu-

ents. Would it not be acting more like men who wish for a *safe* as well as a *stable* government, to propose such amendments as would meliorate the form, than to approve it, as the Dr. would have us, “with all its faults, if they are such.” *Thus* the Doctor consents, and hopes the Convention will “act *heartily* and *unanimously* in recommending the Constitution, wherever their influence may extend, and turn their future tho’ts and endeavors to the means of having it well administered.” Even a bad form of government may, in the Doctor’s opinion, be well administered—for, says he, there is *no* form of government, but what may be made a blessing to the people, *if* well administered. He evidently, I think, builds his hopes, that the Constitution proposed, will be a blessing to the people,—not on the *principles* of the government itself, but on the *possibility*, that, with *all its faults*, it *may* be well administered;—and concludes, with wishing, that others, *who had objections* to it, would yet, like him, doubt of their own infallibility, and put their names to the instrument, to make an *Unanimity* MANIFEST! No wonder he *shed a tear*, as it is said he did, when he gave *his* sanction to the *New* Constitution.

**AN AMERICAN
BOSTON AMERICAN HERALD
28 JANUARY 1788**

We have been frequently advertised in the public papers, that General Washington, when he set his hand to the proposed Constitution, uttered these words—“THIS IS, PERHAPS, THE LAST TIME THE AMERICANS WILL HAVE AN OPPORTUNITY, COOLLY, TO SET DOWN, AND AGREE UPON A FORM OF GOVERNMENT.”—The mode of expression from a Soldier,—from a Man, who, besides the CINCINNATI,* could call out many followers—from a Man, who stands in the public eye, the sole candidate for Chief Ruler of all the States: From such a one, it was as void of prudence as it was of foundation—This has alarmed many patriots, and given pain to many of his friends—but they all feel a respectful delicacy towards that Great Man, and have therefore been silent, while they might have observed, that, as the motion made by Virginia for a General Convention, was so readily agreed to by all the States; and that as the people were so very zealous for a good Federal Government, though this plan, which was aided in its birth by that Great Man, should fail, the people could again *set themselves down coolly, to make another*.—The mode of expression might have been animadverted upon. THE LAST TIME they would have an OPPORTUNITY!—From whom do they

receive this OPPORTUNITY, but from Heaven?—And who shall withhold the boon?

Had not his letter appeared in the papers, fully explanatory of his ideas, still the regard all feel for him, might have constrained a decent silence. In this letter he says, “MY DECIDED OPINION IS, THAT THERE IS NO ALTERNATIVE BETWEEN THE ADOPTION OF IT (that is the proposed Constitution) AND ANARCHY.” One would suppose it very strange, that a Convention of fifty members, however respectable, should have such an opinion of their own sagacity, that when they had performed a task *which they took upon themselves*, they supposed that three millions of people could not amend it, or wish an alteration! and that unless this identical System, with every letter and figure thereof should be adopted, all Government would be at an end, “Old Chaos would come back again, and nothing but anarchy ensue!”—No new Convention, no new set of men can ever agree again, why?—Because miracles have ceased.

But he goes on,—“If ONE STATE, however important it may conceive itself to be, or a minority of them, should suppose, that they can dictate a Constitution to the Union, unless they have the power of applying the ULTIMO RATIO, to good effect, they will find themselves deceived.”—One expression more ought to be attended to, in order to find the General’s meaning:—“GENERAL GOVERNMENT IS NOW SUSPENDED BY A THREAD—I MIGHT GO FURTHER, AND SAY, IT IS REALLY AT AN END.”—But General Washington tells us, that the General Government is at an end already, and that unless the New Plan is adopted, anarchy and confusion takes place, and that a minority, unless they can apply the Ultimo ratio with good effect, will find themselves deceived. I do by no means wish to put an uncandid construction upon this letter, but I cannot resist the conclusion, that the General has declared, that this Constitution shall be supported by the ULTIMO RATIO, that is—by force.

* The Society of the Cincinnati was an organization founded after the Revolutionary War to preserve friendships among the officers of the Continental Army. Many Americans had suspicions that it was an aristocratic organization that sought to establish a hereditary nobility in the United States.

ALEXANDER WHITE
WINCHESTER VIRGINIA GAZETTE
29 FEBRUARY 1788

Does history afford an instance of an assembly of men thus chosen, acting so diametrically opposite to the design of their appointment? or of any body of men pre-

meditate[d]ly endeavouring to enslave their country, unless they themselves were to be tyrants? Human nature, in its most depraved state, is incapable of it; nor could any thing short of the jaundiced eye of faction entertain the idea. Can you then suspect the Federal Convention, the members of which stand fair in point of reputation, notwithstanding the most virulent abuse of party rage in the State where they sat. But when you remember that among them was a Washington, whose hair has become grey and eyes dim in watching over your safety; whose disinterested patriotism has raised him above the reach of panegyric; and a Franklin, whose philosophical and political abilities have procured him the admiration of the world; who has already lived beyond the usual period allotted to men, and is gently descending to the grave, with the weight of years and of honors.

Is it possible that a Washington and a Franklin could conspire to enslave their country? To that indignation . . . I refer the answer. Do you really believe that you cannot choose men who will faithfully promote your happiness in the discharge of the duties of their respective offices?

A VIRGINIAN
NORFOLK AND PORTSMOUTH JOURNAL
12 MARCH 1788

MR. PRINTER, It is no inconsiderable proof of the merit of the new Constitution, that the generality of its enemies have attacked it with falsehood and scurrility, instead of fair reasoning; these being the weapons with which people are wont to contend against truth. . . .

Again, when I contemplate the worthy characters who composed the late Convention, my breast is filled with indignation to find their labour for the common good required by suspicion of designs equally iniquitous and improbable, and this chiefly by people in office, whose narrow souls are alarmed at the idea of having their imaginary importance diminished. But above all, I am shock’d at the monstrous absurdity of supposing that such characters as *Washington* and *Franklin*, who, by a long life of virtue and patriotism, have acquired reputations not to be extinguished but with the world, should now, in their old age, with their mental faculties unimpaired, lend the sanction of their names to establish a system of tyranny! ■

DISCUSSION QUESTIONS FOR A SOCRATIC SEMINAR

- * What special problems do detractors of Washington and Franklin have when criticizing their roles at the Constitutional Convention? In your opinion do these critics successfully address these difficulties?
- * People who supported and defended Washington and Franklin often did so on the basis of their virtuous actions in the past. What does this suggest about the debate over the motives of the delegates at the Constitutional Convention? What does it suggest about the nature of leadership?
- * Should the debate over the Constitution have been about the motives of individual delegates, or should the debate have been over the ideas within the Constitution itself?



TEACHING TOOLS

Lesson Suggestions

I. Analyzing Arguments

1. Divide the class into two groups. One group (Federalists) will read and discuss the documents that have a favorable view of Washington and Franklin. The other (Antifederalists) will read and discuss the documents that are unfavorable to Washington and Franklin.
2. Each group should be given or have access to the T-chart below.

Favorable to Washington and Franklin (Federalists)	Unfavorable to Washington and Franklin (Antifederalists)
<i>Boston American Herald</i>	Centinel I
Alexander White	"Z"
A Virginian	An American

3. Subdivide each of the large groups into three smaller groups. Assign one text to each group. They should use the T-chart to organize their thoughts.
4. Small groups should report their findings to the larger group based on the following questions:
 - * How does the writer defend/criticize Washington and Franklin?
 - * To what extent is the defense/criticism of Washington and Franklin reasonable?
 - * Would they have made a different argument in favor or opposed to Washington and Franklin?
5. After the three smaller groups have discussed their assigned documents in their larger groups, you can have them report their findings to the class.
6. Conclude the lesson by leading a discussion using the Socratic Seminar questions listed above.

II. You Have Some Explaining to Do—George and Ben, Defend Yourself!

1. Divide the class into groups of 3-5 students. Each group should read and discuss each document and record their thoughts using the chart below.

Antifederalists' Accusations Against Washington/Franklin

Documents	Accusations
Centinel I	
"Z"	
An American	

2. After each group has read and discussed the documents, you can lead a discussion based on the following questions.
 - * What are the criticisms of Washington and Franklin made by Antifederalists?
 - * In your opinion, are these criticisms valid?
 - * In your opinion, should Washington and Franklin respond to these criticisms? If not, why?
3. An extension of this assignment could be to have students compose a letter to the editor composed by Washington or Franklin responding to their critics. You may have students look at examples of letters to the editor before they begin writing.

Vocabulary

Boston American Herald, 1 October 1787

1. *Solon*: Athenian statesman and lawgiver
2. *Numa*: legendary second king of Rome
3. *antiquity*: ancient times
4. *lustre*: having a shine or glow
5. *plaudit*: praise
6. *auspicious*: favorable
7. *felicity*: intense happiness
8. *sordid*: shameful

Centinel I, Philadelphia Independent Gazetteer 5 October 1787

1. *behooves*: a formal duty
2. *lulled*: to be calmed into a sense of security
3. *aggrandizement*: an increase of power, wealth, or status
4. *insinuating*: to subtly suggest or infer
5. *arduous*: strenuous effort
6. *attendant*: associated with or related to

“Z,” Boston Independent Chronicle, 6 December 1787

1. *zealous*: extreme enthusiasm
2. *approbation*: approval
3. *administered*: to manage
4. *availed*: to use or to take advantage of an opportunity
5. *condescension*: an act of humility
6. *august*: impressive or respected
7. *meliorate*: to make something better
8. *infallibility*: without error or being perfect

An American, Boston American Herald 28 January 1788

1. *prudence*: wisdom or good judgment
2. *animadverted*: to speak out against
3. *boon*: to be a help or provide an advantage to
4. *sagacity*: possessing insight and wisdom
5. *ultimo ratio*: last resort
6. *uncandid*: not truthful

Alexander White, Winchester Virginia Gazette 29 February 1788

1. *diametrically*: completely different
2. *depraved*: totally morally corrupt
3. *jaundiced*: cynical or disillusioned
4. *virulent*: vicious
5. *disinterested*: objective or impartial
6. *panegyrick*: a speech of praise or tribute
7. *procured*: to obtain or acquire
8. *conspire*: to make secret plans

A Virginian, Norfolk and Portsmouth Journal 12 March 1788

1. *inconsiderable*: of small size or amount
2. *scurrility*: scandalous claims that damage a reputation
3. *indignation*: anger or annoyance
4. *requited*: to repay or seek revenge
5. *iniquitous*: immoral or sinful behavior
6. *improbable*: unlikely, outrageous, or absurd
7. *faculties*: abilities