

Lesson Three: *Assessing the Constitutional Convention*

BACKGROUND INFORMATION FOR INSTRUCTOR

The Convention in General

When assessing the Constitutional Convention of 1787 an initial consideration is its legitimacy. During the 1780s, conventions were viewed as dangerous, radical assemblies. This negative connotation was based upon the belief that such gatherings were seldom motivated by virtue. Furthermore, the Articles of Confederation had prohibited such meetings. The Shaysites in Massachusetts were also associated with county conventions. Consequently, suspicions about the motives of any extralegal assemblies were ever present. However, many fears subsided when the Confederation Congress sanctioned the Convention on 21 February 1787 and when George Washington and Benjamin Franklin were elected as delegates. 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.” As the ratification debate evolved, Rush’s optimistic predictions fell short as criticisms of the Convention and its work expanded.

The Rule of Secrecy

Soon after attaining a quorum in late May, the delegates adopted rules similar to those used by Congress. Among these was a rule of secrecy. Although this rule would become an important issue after the Convention adjourned, it was not particularly controversial while the Convention sat. The Confederation Congress, state legislatures, and the British Parliament all regularly met in secret. Secrecy provided an environment conducive for full and honest discussions. An item appearing in the *Pennsylvania Herald* on 2 June 1787 expressed hope “that the privacy of their transactions will be an additional motive for dispatch, as the anxiety of the people must be necessarily increased, by every appearance of mystery in conducting this important business.” The Convention abrogated the rule of secrecy when it adjourned on 17 September 1787.

Antifederalists later denounced the rule of secrecy casting a pall over the Convention labeling it a cabal. “Centinel,” among the harshest critics of the Convention and the Constitution, supposed an “evil genius of darkness presided at its birth, it came forth under the veil of mystery, its true features being carefully concealed, and every deceptive art has been and is practising to have this spurious brat received as the genuine offspring of heaven-born liberty.”

Amity, Compromise and Unanimity at the Convention

From the very beginning of the ratification debate, Federalists were quick to accentuate the spirit of cooperation that prevailed at the Convention. Convention President George Washington’s letter to the President of Congress of 17 September 1787 emphasized that their work was “the result of a spirit of amity, and of that mutual deference and concession which the peculiarity of our political situation rendered indispensable.” “Centinel” XII countered by noting that “discord prevailed to such a degree, that the minority were upon the point of appealing to the public against the machinations of ambition.” Federalists argued that the public should support the Constitution because of the unanimity among the Convention delegates. Antifederalists countered by noting that this claim was disingenuous since reports had circulated demonstrating that, at times, the discussions

were contentious. Additionally, it was widely reported that three delegates in attendance on 17 September had refused to sign the Constitution.

Delegates Violating Their Instructions and the Resolution of Congress

The legitimacy of the Constitutional Convention was based upon the Confederation Congress' resolution of 21 February 1787 and the appointment of delegates by their state legislatures. In both cases, the Convention was called for the "sole and express" purpose of revising the Articles of Confederation. On the second day of debates, the delegates voted to abandon the Articles of Confederation. Subsequently, reports circulated that the Convention would propose a new constitution. When the Constitution was promulgated, it was obvious that the delegates had violated both their instructions and the resolution of Congress. Consequently, it was easy for Antifederalists to attack the legitimacy of the Constitution. Federalists, however, maintained that (1) the Articles of Confederation were too defective to be simply amended, (2) delegates had a responsibility to do the best they could under the current set of circumstances, (3) giving the unicameral Confederation Congress additional powers would be dangerous, and (4) the Constitution was only a proposal that the American people could accept or reject.

Assessments of Individual Delegates

Individual delegates attracted public and private attention both during and after the Convention. As the elections of state ratification conventions commenced, there was discussion as to whether delegates from the Philadelphia Convention should be elected to state conventions. Some, like James Madison, believed that those who drafted the Constitution should not determine whether or not it should be adopted. Others thought that former delegates could provide valuable insights into the proceedings of the Federal Convention. Eventually, thirty delegates from the Philadelphia Convention were elected to state ratification conventions. As Federalists addressed Antifederalist qualms about the Convention, they noted that George Washington's 17 September letter to the President of Congress, which was part of the Convention's report to Congress, illustrated his support for the Constitution. For Antifederalists, the treatment of George Washington and Benjamin Franklin proved especially problematic. Since there was virtually universal admiration for both, Antifederalists countered that these statesmen had been duped—Franklin being a dotard and Washington being a military man and not a legislator.

Benjamin Franklin

Franklin's reputation as a scientist and statesman lent considerable credibility to the Convention. His speeches, though infrequent, were often couched in anecdote and humor, often alleviating tension among the delegates. Franklin's last speech delivered on 17 September 1787 became fodder in the ratification debate. In the speech, 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. Subsequently, two delegates had Franklin's final speech printed in newspapers in Massachusetts and Maryland from which it was reprinted throughout the country. Federalists suggested that Franklin's deference to the collective wisdom of the Convention should be an example to the public as they considered the new Constitution. Antifederalists saw Franklin's acquiescence as the resignation of an old man and his concerns about the Constitution should be a warning to the public as well.

Elbridge Gerry

On 17 September 1787, Massachusetts delegate Elbridge Gerry was one of three delegates who refused to sign the Constitution. Writing from New York City on 18 October 1787, Gerry submitted his objections to the Constitution in a letter to the Massachusetts legislature. These objections were published on 3 November 1787 and caused controversy in Massachusetts and factored into Gerry's decision not to seek election to the Massachusetts ratifying Convention. Antifederalists in the state convention pushed to invite Gerry to attend as a visitor. Federalists originally opposed such a move, claiming that Gerry's well-known objections would be amplified in the convention and sway opinions against the Constitution. After considerable debate, Federalists relented and Gerry was allowed to attend. When restricted to answering specific questions in handwriting, Gerry angrily left the convention.

Alexander Hamilton

An advocate of a stronger national government throughout the 1780s, Alexander Hamilton found himself in the minority among the three New York delegates at the Federal Convention. His attendance at the Convention was spotty. Additionally, after fellow delegates John Lansing, Jr. and Robert Yates left the Convention on 11 July 1787, Hamilton found himself the only delegate from New York and thus unable to vote because two delegates were needed to make an "official" delegation. Consequently, his critics denounced him for signing the Constitution as the sole delegate for New York on 17 September.

Luther Martin

Martin arrived late at the Philadelphia Convention and immediately caused concern because of his long-winded oratory and excessive drinking. He left the Convention early and reported adversely to the Maryland assembly. His "Genuine Information" and other prolix writings describing the intricate maneuverings in the Federal Convention were printed in newspapers and pamphlets and circulated throughout the country attracting a great deal of attention.

George Mason

Among those who had originally advocated a stronger national government, George Mason eventually refused to sign the Constitution on 17 September. Among his reservations was the lack of a bill of rights. Late in the Convention on 12 September he called for a committee to draft a bill of rights. The motion was unanimously defeated. In the final days of the Convention, Mason sketched out an informal set of objections, which would later become a critical reference point for opponents of the Constitution. In the fall of 1787 Mason revised and expanded his objections to the Constitution. Although manuscript copies of his objections were widely circulated, they were not published until 21 November 1787 after which Federalist responses abounded.

George Washington

The mere presence of George Washington at the Philadelphia Convention lent credibility to the proceedings. Among the first decisions delegates made was to elect him unanimously as the Convention's president. Throughout the ratification debate, Washington's support for the new Constitution appeared in Federalist polemics. Federalists pointed to Washington's 17 September letter to the President of Congress in which he advocated ratification of the Constitution because "it may promote the lasting welfare of that country so dear to us all." The fact that it was universally assumed that Washington would be the country's first president made the Constitution more palatable.

James Wilson

James Wilson was perhaps the most vilified delegate of the Federal Convention. Wilson willingly inserted himself into the fray on 6 October 1787, when he publicly addressed Philadelphians in the courtyard of the Pennsylvania State House. In this address and later in his 24 November speech in the Pennsylvania ratifying Convention, he defended and outlined the work of the Federal Convention explaining the merits of an extended republic and the benefits of the proposed Constitution. Of particular importance, Wilson espoused the principles of reserved powers—the federal would only have delegated powers while all other powers were reserved to the states or the people. Wilson’s explanations received national circulation and became the unofficial Federalist defense of the Constitution. Consequently, Antifederalists singled him out for criticism.

THE PRIMARY SOURCE DOCUMENTS USED TO SUPPORT THE LESSON

Antifederalist Sources

Centinel II, Philadelphia *Freeman’s Journal*, 24 October 1787
Elbridge Gerry to the Massachusetts General Court, 18 October 1787, *Massachusetts Centinel*, 3 November 1787
An Officer of the Late Continental Army, Philadelphia *Independent Gazetteer*, 6 November 1787
Centinel III, Philadelphia *Independent Gazetteer*, 8 November 1787
Centinel IV, Philadelphia *Independent Gazetteer*, 30 November 1787
Helvidius Priscus I, Boston *Independent Chronicle*, 27 December 1787
Luther Martin: Genuine Information I, Baltimore *Maryland Gazette*, 28 December 1787
Helvidius Priscus II, Boston *Independent Chronicle*, 10 January 1788
Centinel XII, Philadelphia *Independent Gazetteer*, 23 January 1788
Centinel XIV, Philadelphia *Independent Gazetteer*, 5 February 1788
Luther Martin: Address No. II, *Maryland Journal*, 21 March 1788
Luther Martin: *To the Citizens of the United States*, Baltimore, 30 March 1788
A Farmer, Philadelphia *Freeman’s Journal*, 16, 23 April 1788

Federalist Sources

James Wilson: Speech at a Public Meeting in Philadelphia, 6 October 1787
Publius: The Federalist 2, New York *Independent Journal*, 31 October 1787
James Wilson: Speech in the Pennsylvania Convention, 24 November 1787
Publius: The Federalist 37, New York *Daily Advertiser*, 11 January 1788
Maryland Landholder No. X, *Maryland Journal*, 29 February 1788
A Citizen of New-York: *An Address to the People of the State of New York*, 15 April 1788
A Patriotic Citizen, *Pennsylvania Mercury*, 10 May 1788

THE LESSON PLAN—What’s Wrong/Right with this Meeting?

THE OBJECTIVES OF THE LESSON

- * Students will be exposed to the many issues surrounding the legitimacy of the Constitutional Convention.
- * Students should be able to effectively defend or critique the actions of the delegates at the Constitutional Convention.

THE LESSON

1. The day before you want to use the script, you should select and assign the eleven roles to students who will play a role. You should stress that they should read and familiarize themselves with their parts.

Roles in Script—11 (L—large role; M—medium role; S—small role)

Moderator (L)

Antifederalist Panelists

Centinel (L)

Farmer (S)

Elbridge Gerry (M)

Luther Martin (L)

Helvidius Priscus (M)

Federalist Panelists

A Citizen of New York (L)

A Patriotic Citizen (M)

Maryland Landholder (M)

Publius (S)

James Wilson (S)

2. The day of the reading, distribute the two graphic organizers to the rest of the class. It will enable them to track through the presentation. You may want to use it as homework or the basis of a discussion after the presentation.

The Issue	Why is this an Issue?	Federalist View	Antifederalist View
Delegate Instructions			
Secrecy at Convention			
Amity at Convention			
Unanimity at Convention			

<u>The Delegate</u>	<u>The Criticism Leveled at Them</u>	<u>Legitimate or Illegitimate?</u>
Luther Martin		
James Wilson		
George Washington		
Benjamin Franklin		

3. After the performers have read the script, you should devote some time to check the observers for their understanding of the performance. You could do this with the class as a whole or by dividing the class into groups of 3-5 students.
4. After the class has discussed their findings from their graphic organizers, you could lead a discussion using the following questions:
 - a) In your opinion, which of the issues is most problematic in regards to the legitimacy of the Philadelphia Convention? Which is least problematic?
 - b) What are the advantages and disadvantages of holding a convention in secret?
 - c) When thinking about the various critiques of specific individuals in the script, is it reasonable to criticize specific individuals in a convention of 55 delegates?
 - d) If so, are there some criticisms that are reasonable? Are there unreasonable criticisms?
5. As an extension activity, you may have students do research on Elbridge Gerry, George Mason, and Edmund Randolph, the non-signers of the Constitution. Have them investigate the reasons why each refused to sign the document and consider whether they think their actions were justified.

The Script

Moderator: I would like to extend a warm welcome to our audience and our panelists. Thank you for joining us.

Panelists: It's a pleasure to be here. Thank you for having us. It's nice to be here. Etc.

Moderator: We have with us a panel of distinguished gentlemen who are key figures in the debate over the Constitution. As many of you are aware Federalists and Antifederalist have been debating the merits of the Constitution itself, but the role of the Philadelphia Constitutional Convention itself is an item that has emerged as an issue as well in these debates over ratification.

Helvidius Priscus: [This convention] ambitiously and daringly presumed . . . to annihilate the sovereignties of the thirteen United States; to establish a DRACONIAN CODE; and to bind posterity by their secret councils.

A Citizen of New-York: The men who formed this plan are Americans, who had long deserved and enjoyed our confidence, and who are as much interested in having a good government as any of us are, or can be.

Moderator: Hold on gentlemen. Let's set the stage for our audience before we go further. Other Antifederalists joining Helvidius Priscus are Centinel, Elbridge Gerry, Luther Martin, An Officer of the Late Continental Army, and Farmer. A Citizen of New-York is joined by fellow Federalists James Wilson, A Patriotic Citizen, Maryland Landholder, and Publius.

James Wilson: This Convention [was] composed of men who possessed the confidence of the people. [They were] highly distinguished by their patriotism, virtue and wisdom . . . undertook the arduous task . . . and recommended to the people the plan produced by their joint and very unanimous counsels.

Centinel: What astonishing infatuation to stake [our] happiness on the wisdom and integrity of any set of men. . . . The celebrated Montesquieu, in his *Spirit of Laws*, says, "slavery is ever preceded by sleep."

Moderator: Again, gentlemen if we could pause a moment. I need to remind our audience that our agenda today is to discuss several issues surrounding the Convention. As you know, twelve states sent fifty-five delegates to Philadelphia in the summer of 1787 to discuss possible amendments to the Articles of Confederation that would address problems faced by the nation. After four months, the Convention completed its work and sent a new constitution to Congress. Convention President George Washington in a letter addressed to the President of Congress indicated that the Constitution was "the result of a spirit of amity" and hoped its adoption would "promote the lasting welfare" of the country.

Martin: The name of Washington is far above my praise! May that glory which encircles his head ever shine with undiminished rays!

Moderator: But, if I am not mistaken, you still have problems with the proposed plan even with

Washington being associated with the Convention?

Martin: To find myself under the necessity of opposing such illustrious characters, whom I venerated and loved, filled me with regret. . . . But to have hesitated would have been criminal; complaisance would have been guilt.

Moderator: Before we address matters about specific delegates at the Convention, let's explore the controversy surrounding the original purpose for the gathering. A Citizen of New-York, could you summarize why the Convention gathered?

A Citizen of New-York: The Convention concurred . . . that a national government . . . was indispensably necessary; and it was as plain to them . . . that the present confederation does not provide for such a government. They proceeded to consider how and in what manner such a Government could be formed.

Farmer: [This is simply not true.] They were strictly bound by the law of their appointment to revise the confederation; the additional powers with which it ought to have been vested were generally understood, and would have been universally submitted to.

Moderator: So for you, it is important to remember the instructions given to them?

Farmer: [Yes.] This convention not only neglected the duty of their appointment, but assumed a power of the most extraordinary kind.

Moderator: By doing what?

Farmer: They proceeded to destroy the very government which they were solemnly enjoined to strengthen and improve.

Moderator: Who actually authorized these delegates?

Farmer: The legislature of the various states, elected members for a federal convention.

Gerry: As the Convention was called for "the sole and express purpose of revising the Articles of Confederation, and reporting to Congress and the several Legislatures such alterations and provisions as shall render the Federal Constitution adequate to the exigencies of government and the preservation of the union," I did not conceive that these powers extended to the formation of the plan proposed.

Moderator: But you were a delegate Mr. Gerry. You certainly were aware the delegates had in a sense violated their instructions.

Gerry: [Indeed,] but the Convention being of a different opinion, I acquiesced in it, being fully convinced that to preserve the union, an efficient government was indispensably necessary; and that it would be difficult to make proper amendments to the articles of Confederation.

Publius: It is worthy of remark that . . . the late Convention invariably joined with the people in thinking that the prosperity of America depended on its Union.

Moderator: And, in your opinion, this was not possible by simply revising the Article of Confederation?

Publius: [No.]

Moderator: In a sense this issue boils down to whether you believe that the instructions given to the delegates were binding or not. Or perhaps they couldn't address the nation's problems if they strictly followed their instructions.

Centinel: If you were even well assured that the utmost purity of intention predominated in the production of the proposed government . . . it would not be wise . . . to adopt it . . . in toto.

Moderator: Why not?

Centinel: All former experience must teach you the propriety of a revision on such occasions, to correct the errors.

Moderator: But, why not trust the delegates? Even though they may not have done exactly what they were sent to do, it appears they had the best interests of the country in mind.

Centinel: What then are we to think of the motives and designs of those men who are urging the implicit and immediate adoption of the proposed government?

A Patriotic Citizen: To have asserted, in plain English, that the framers of it, and those who have ratified it, are all villainous conspirators, and consequently that this plan of government is calculated to enslave the people of America, to make them hewers of wood and drawers of water, and to force them to make bricks without straw. What an insult to the freemen of America!

Centinel: If you exercise your good sense and discernment, you will discover the masqued aristocracy, that they are attempting to smuggle upon you, under the suspicious garb of republicanism.

A Patriotic Citizen: Much might here be said of the patriotism, integrity, abilities, and past service, of almost all the gentlemen who were honored, by their respective states, with seats in that august assembly.

Centinel: They have despised their delegated power and assumed sovereignty [and created] a government that will give full scope to the magnificent designs of the well-born.

A Patriotic Citizen: Conspiracies are usually formed and executed by desperate and abandoned wretches, who have neither fortune nor reputation to lose.

Moderator: This might be a good point in our discussion to turn to the decision of the delegates to adopt a rule of secrecy. I am sure that Centinel has a few thoughts on this.

Centinel: If you are in doubt about the . . . proposed government, view the conduct of its authors and patrons, that affords the best explanation, the most striking comment.

Moderator: So, the fact that their conduct was done in secret means their work is suspect?

Centinel: The evil genius of darkness presided at its birth, it came forth under the veil of mystery, its true features being carefully concealed, and every deceptive art has been and is practising to have this spurious brat received as the genuine offspring of heaven-born liberty.

Martin: Could there possibly be a greater indignity and insult offered to . . . the free citizens of America . . . than to shut themselves up in mystery and darkness; to keep all their deliberations an absolute secret from their constituents . . . to prevent the publication of their journals; to deprive the free citizens of America of every means of information?

Moderator: But at the time many thought the rule was a good thing. In fact one editorial in a Boston newspaper said “The profound secrecy hitherto observed by this august body, we cannot help considering as a happy omen; as it demonstrates, that the spirit of party, on any great and essential point, cannot have arisen to any height.”

Martin: The doors were to be shut, and the whole proceedings were to be kept secret; and so far did this rule extend, that we were thereby prevented from corresponding with gentlemen in the different States upon the subjects under our discussion—a circumstance, Sir, which I confess, I greatly regretted.

Moderator: Wouldn't this secrecy be important though? It might provide the opportunity for delegates to express a wide range of ideas without the fear of having their views misconstrued by the public.

Centinel: Attempts to prevent discussion by shackling the press ought ever to be a signal of alarm to freemen, and considered as an annunciation of meditated tyranny.

A Citizen of New-York: [These] gentlemen met in Convention with minds perfectly unprejudiced in favor of any particular plan. All agreed in the necessity of doing something, but no one ventured to say decidedly what precisely ought to be done—opinions were then fluctuating and unfixed. . . . The members were more desirous to receive light from, than to impress their private sentiments on one another.

Martin: [But,] members were prohibited even from taking copies of resolutions, on which the convention were deliberating, or extracts of any kind from the journals without formally moving for, and obtaining permission, by a vote of the convention for that purpose.

A Citizen of New-York: These circumstances naturally opened the door to that spirit of candor, of calm enquiry, of mutual accommodation, and mutual respect, which entered into the Convention with them, and regulated their debates and proceedings.

Moderator: Let's pick up on that idea. Federalists have submitted that discussions among the delegates were generally calm and as Washington said, with “mutual deference and concession.” Antifederalists suggest otherwise.

Publius: The real wonder is, that so many difficulties should have been surmounted . . . with a unanimity almost as unprecedented as it must have been unexpected. It is . . . impossible for the

man of pious reflection not to perceive in it, a finger of that Almighty hand which has been so frequently and signally extended to our relief.

A Citizen of New-York: [Yes. And] it does great credit to the . . . talents of the Convention, that they were able so to reconcile the different views and interests of the different States, and the clashing opinions of their members, as to unite with such singular and almost perfect unanimity in any plan whatever, on a subject so intricate and perplexed.

Moderator: If there were major differences of opinions, how was broad agreement among the delegates achieved?

A Citizen of New-York: Liberality . . . as well as prudence, induced them to treat each other's opinions with tenderness, to argue without asperity, and to endeavor to convince the judgment without hurting the feelings of each other. Although many weeks were passed in these discussions, some points remained, on which a unison of opinions could not be effected.

Moderator: So you are admitting to there being strong disagreements among the delegates?

A Citizen of New-York: Here again that same happy disposition to unite and conciliate induced them to meet each other; and enabled them by mutual concessions, finally to complete and agree to the plan they have recommended, and that too with a degree of unanimity, which, considering the variety of discordant views and ideas they had to reconcile, is really astonishing.

Centinel: Mr. Martin [said] when the public prints were announcing our perfect unanimity, discord prevailed to such a degree, that the minority were upon the point of appealing to the public against the machinations of ambition.

Moderator: You're suggesting that newspapers were incorrect in reporting that the proceedings of the Convention were going smoothly.

Centinel: [Yes. These reports were] repeated in every newspaper and reverberated from one end of the union to the other. . . . The people [were] lulled into a false confidence, into an implicit reliance upon the wisdom and patriotism of the convention.

Moderator: What's wrong with the suggestion that the delegates were wise and patriotic?

Centinel: [It's worse than that.] Extravagant fictions were palmed upon the people, the seal of divinity was even ascribed to the new constitution.

Moderator: Mr. Martin, you were there, can you shed some light on this?

Maryland Landholder: [I object. Mr. Martin] attended only 66 days out of 126.

Moderator: And your point being what?

Maryland Landholder: Is it to be presumed that [Mr. Martin] could have been minutely informed of all that happened in the Convention, and committees of Convention, during the 60 days of [his] absence?

Centinel: [Hold on here.] I am happy to find the . . . Honorable Luther Martin . . . has laid open the conclave . . . and illustrated the machinations of ambition. His public spirit has drawn upon him the rage of the conspirators, for daring to remove the veil of secrecy, and announcing to the public the meditated, gilded mischief: all their powers are exerting for his destruction; the mint of calumny is assiduously engaged in coining scandal to blacken his character, and thereby to invalidate his testimony.

Martin: [And frankly,] it was not in my power to attend the convention immediately on my appointment—I took my seat, I believe, about the eighth or ninth of June.

A Citizen of New-York: This plan is the result of accommodation. [Let us] hold it up as . . . the best which they could unite in, and agree to. If such men, appointed and meeting under such auspicious circumstances, and . . . disposed to conciliation, could . . . please every State and every body, what reason have we at present to expect any system that would give more general satisfaction?

Helvidius Priscus: [OK,] Let us candidly . . . examine [some of the delegates'] conduct. Several of them left the [Convention] in disgust before the decision of the question.

Moderator: I am assuming you are referring to Robert Yates and John Lansing, Jr. two of the three delegates from New York?

Helvidius Priscus: [Yes.] Others expressly reprobated the proceedings of a conclave, where it [was] ridiculously asserted all the wisdom of America was concentrated.

Moderator: And if I am not mistaken, several delegates refused to sign the completed Constitution.

Helvidius Priscus: [Absolutely. Edmund] Randolph, [George] Mason, and [Elbridge] Gerry, [had] the firmness to avow their dissent to support their opinions in the Legislatures of their several States.

Moderator: I have also heard reports that Benjamin Franklin was not particularly fond of the Constitution?

Helvidius Priscus: It is true indeed that the ancient Doctor, who has been always republican in principle and conduct, doubted, trembled, hesitated, wept, and signed.

Moderator: So I can see how these claims of unanimity at the Convention are a bit overstated.

Publius: The history of almost all the great councils . . . held among mankind for reconciling their discordant opinions . . . is a history of factions, contentions, and disappointments.

Moderator: So, is it your belief these particular delegates were able to rise above their self-interest and create this Constitution?

Publius: [Yes.] The Convention . . . enjoyed in a very singular degree, an exemption from the pestilential influence of party animosities; the diseases most incident to deliberative bodies, and most apt to contaminate their proceedings.

Moderator: Let's turn our attention to specific delegates. The newspapers have been filled with various assessments of individuals attending the Convention. Perhaps among the most vilified is Luther Martin from Maryland.

Martin: [No kidding.]

Centinel: This illustrious patriot will rise superior . . . and be the better confirmed in the good opinion and esteem of his fellow-citizens . . . by standing forth their champion at a crisis when most men would have shrunk from such a duty. Mr. Martin [is] . . . undaunted by the threats of his and his country's enemies, is nobly persevering in the cause of liberty and mankind.

Maryland Landholder: [Luther,] the day you took your seat must be long remembered by those who were present.

Moderator: What was so memorable about that day?

Landholder: [He] had scarcely time to read the propositions which had been agreed to after the fullest investigation, when, without requesting information, or to be let into the reasons of the adoption of what you might not approve, [he] opened against them, in a speech which held during two days, and which might have continued two months.

Martin: In so momentous an undertaking, in forming a system for such an extensive continent, on which the political happiness of so many millions, even to the latest ages, may depend, no time could be too long—no thought and reflection too great—and that if by continuing six months, or even as many years, we could free the system from all its errors and defects, it would be the best use to which we could possibly devote our time.

Maryland Landholder: [Even] the pleasant Mr. Gerry [sarcastically remarked that] he admired the strength of your lungs . . . that never fail to lengthen out . . . his oratory. [Gerry's] reply . . . so comic, had the happy effect to put the house in good humour. . . . But these did not teach you to bound your future speeches by the lines of moderation; for the very next day you exhibited, without a blush, another specimen of eternal volubility.

Martin: [My speeches weren't that long.]

Maryland Landholder: [Luther,] you exhausted the politeness of the Convention, which at length prepared to slumber when you rose to speak: nor can you have forgotten, you were only twice appointed a member of a Committee, or that these appointments were made, merely to avoid your endless garrulity, and if possible, lead you to reason.

Martin: From the best judgment I could form while in Convention, I then was, and yet remain, decidedly of the opinion, that ambition and interest had so far blinded the understanding of some of the principal framers of the constitution, that . . . they were labouring to erect a fabrick by which they themselves might be exalted and benefited.

Moderator: Another delegate who has been singled out for ridicule is James Wilson from Pennsylvania.

Wilson: [No kidding.]

Helvidius Priscus: Mr. Wilson observe[d] “that after a lapse of six thousand years America has now presented the first instance of a people assembled to weigh deliberately, and calmly, and to decide leisurely, and peaceably, on a form of government, by which they shall bind themselves and their posterity.”

Moderator: What is the problem you see with this?

Helvidius Priscus: Has he not here suggested the strongest reason . . . for postponing the adoption of the new system?

Moderator: How so?

Helvidius Priscus: If the assertion is true, is it prudent for this extensive Continent implicitly to accept, and rapidly and irrevocably adopt, the propositions of thirty or forty men, some of whom were infants, when the principles of the late revolution animated the patriots of this country to a noble resistance.

Moderator: So as you see it, Wilson is asking us to trust the efforts of young and inexperienced individuals.

Helvidius Priscus: [Yes.]

Moderator: I recently read a piece by an author calling himself “An Officer of the Late Continental Army” noted Wilson’s arguments “contained no more than a train of pitiful sophistry and evasions.” In that same article the author noted that “He sees at a distance the pomp and pageantry of courts, he sighs after those stately palaces and that apparatus of human greatness which his vivid fancy has taught him to consider as the supreme good.” Essentially, it accuses Wilson of being a monarchist.

A Citizen of New-York: The illiberal manner in which some have taken the liberty to treat [some delegates at the Convention]; to impute it to impure and improper motives . . . may sometimes carry men beyond the bounds of reason.

Wilson: I would simply say this to my critics. Oft have I viewed, with . . . pleasure and admiration, the force and prevalence through the United States, that the supreme power resides in the people; and that they never part with it. There can be no disorder in the community but may here receive a radical cure. If the error be in the legislature, it may be corrected by the constitution. If in the constitution, it may be corrected by the people.

Moderator: What about George Washington? No one is more revered. One writer said that Americans have been slow to be critical of Washington since “all feel a respectful delicacy towards that Great Man, and have therefore been silent.”

Martin: [In regards to Washington,] would to Heaven that, on this occasion, one more wreath had been added to the number of those which are twined around his amiable brow!—that those with which it is already surrounded, may flourish with immortal verdure, nor wither or fade till time shall be no more, is my fervent prayer! and may that glory which encircles his head, ever shine with undiminished rays!

Moderator: So you have no criticisms of Washington?

Centinel: [Not exactly.] In despair [the supporters of the Constitution] are weakly endeavouring to screen their criminality by interposing the shield of the virtues of a Washington, in representing his concurrence in the proposed system of government, as evidence of the purity of their intentions.

Moderator: But in his letter to Congress, Washington did say he thought the Constitution would “promote the lasting welfare of that country so dear to us all, and secure her freedom and happiness.”

Centinel: [But] this . . . attempt to degrade the brightest ornament of his country . . . will be considered as . . . an insult on the good sense of the people, who have too much discernment not to make a just discrimination between the honest mistaken zeal of the patriot, and the flagitious machinations of an ambitious junto.

Moderator: In other words, using Washington’s reputation could backfire?

Centinel: [Yes. The people] will resent the . . . consummate cunning . . . practised upon our illustrious chief.

Moderator: Are you suggesting that Washington was duped at the Convention? That’s a pretty serious charge.

Centinel: Is it derogating from the character of the illustrious and highly revered Washington, to suppose him fallible on a subject that must be in a great measure novel to him?

Moderator: The fact that Washington is a military man has bearing on this point?

Centinel: [Yes.]

Moderator: And what about Benjamin Franklin? Antifederalists have said his age was a factor at the Convention.

Centinel: [Certainly,] the weakness and indecision attendant on old age [was a factor].

Helvidius Priscus: And why was the aged Dr. Franklin, so darkened in his councils, as to make a motion that the President should have no salary? and to oppose almost every article in the system till the last, when he lent his signature in tears?

Moderator: But many would probably agree with what one Federalist said about Franklin noting he “would not be guilty of embarking in any undertaking, which appeared futile and unnecessary. Rest

assured, therefore, that [Franklin] in conjunction with many others, have the good of America at heart.”

Gerry: 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.

A Citizen of New-York: That Convention was in general composed of excellent and tried men—men who had become conspicuous for their wisdom and public services, and whose names and characters will be venerated by posterity. . . . Let us continue careful therefore that facts do not warrant historians to tell future generations, that envy, malice and uncharitableness pursued our patriotic benefactors to their graves.

Moderator: And with that we need to wrap up our discussion. Let’s have a few panelist from each side end with a concluding statements.

Publius: A strong sense of the value and blessings of Union induced the people, at a very early period, to institute a Fœderal Government. . . . They formed it . . . when their habitations were in flames, when many of their Citizens were bleeding, and when the progress of hostility and desolation left little room for those calm and mature enquiries and reflections. . . . It is not to be wondered at that a Government instituted in times so inauspicious, should on experiment be found greatly deficient and inadequate. . . . This intelligent people perceived and regretted these defects. Still continuing no less attached to union . . . they observed the danger . . . and being persuaded that ample security could only be found in a national Government more wisely framed. . . . they convened the late Convention at Philadelphia, to take that important subject under consideration.

Wilson: I will confess indeed, that I am not a blind admirer of this plan of government, and that there are some parts of it, which if my wish had prevailed, would certainly have been altered. But, when I reflect how widely men differ in their opinions, and that every man (and the observation applies likewise to every state) has an equal pretension to assert his own, I am satisfied that any thing nearer to perfection could not have been accomplished. . . .

A Citizen of New-York: What measures would you propose for obtaining a better? Some will answer, let us appoint another Convention. . . . This reasoning is fair . . . but it nevertheless takes one thing for granted. . . . Although the new Convention might have more information, and perhaps equal abilities, yet it does not from thence follow that they would be equally disposed to agree. The contrary of this position is the most probable. You must have observed that the same temper and equanimity which prevailed among the people on the former occasion, no longer exists.

Moderator: And from the Antifederalists?

Centinel: Friends, Countrymen, and Fellow Citizens! The formation of a good government, is the greatest effort of human wisdom . . . but such is the cursed nature of ambition, so prevalent among men, that it would sacrifice every thing to its selfish gratification; hence the fairest opportunities of advancing the happiness of humanity . . . are too often converted to the votaries of power and domination. . . . If you are in doubt about the nature and principles of the proposed government, view the conduct of its authors and patrons, that affords the best explanation, the most striking

comment. . . . So fearful are its patrons that you should discern the imposition, that they have hurried on its adoption, with the greatest precipitation; they have endeavored also to preclude all investigation, they have endeavored to intimidate all opposition.

Helvidius Priscus: Mankind have always been lulled by sounds into a fatal security, without giving themselves the trouble of investigation. Yet . . . [some will attempt to] persuade the world that the majority of the late convention were so much the peculiar favourites of heaven as to receive an immediate inspiration for the model of a government, that should subjugate a country.

Centinel: The system of deception that has been practised . . . [is] evidence of a conspiracy. The means practised to establish the new constitution are demonstrative of the principles and designs of its authors and abettors. . . . Bring the conduct of the authors and abettors of the new constitution to this test, let this be the criterion of their criminality, and every patriotic mind must unite in branding them with the stigma of conspirators against the public liberties.

Moderator: And with that we conclude our discussion. Good night and good luck.