

## John Tyler Speech in the Virginia Ratifying Convention, 25 June 1788

Mr. *Tyler*,—Mr. Chairman.—I should have been satisfied with giving my vote on the question to-day, but as I wish to hand down to posterity my opposition to this system, I conceive it to be my duty to declare the principles on which I disapprove of it, and the cause of my opposition. I have seriously considered the subject in my mind, and when I consider the effects which may happen to this country from its adoption, I tremble at it. My opposition to it arose first from general principles, independent of any local consideration. But when I find that the Constitution is expressed in indefinite terms,—in terms, which the Gentlemen who composed it, do not all concur in the meaning of;—I say that when it is thus liable to objections and different constructions, I find no rest in my mind. Those clauses which answer different constructions, will be used to serve particular purposes. If the able Members who composed it, cannot agree on the construction of it, shall I be thought rash or wrong to pass censure on its ambiguity?

The worthy Member last up [James Innes] has brought us to a degrading situation,—that we have no right to propose amendments. I should have expected such language had we already adopted a Constitution, which will preclude us from this advantage. If we propose to them to reconsider what they have done, and not rescind it, will it be dictating to them? I do not undertake to say that our amendments will bind other States; I hope no Gentleman will be so weak as to say so. But no Gentleman on the other side will deny our right of proposing amendments. Wherefore is it called dictatorial? It is not my wish that they should rescind, but so much as will secure our peace and liberty. We wish to propose such amendments to the sister States, as will reconcile all the States. Will Gentlemen think this will dissolve the Union?

Among all the chimeras adduced on this occasion, we are intimidated with the fear of being attacked by the petty Princes of Europe. The little predatory nations of Europe, are to cross the Atlantic and fall upon us, and to avoid this, we must adopt this Government with all its defects. Are we to be frightened into its adoption?

The Gentleman has objected to previous amendments because the people did not know them. Have they seen their subsequent amendments?—(Here Mr. *Innes* rose and explained the difference—That previous amendments would be binding on the people, though they had never seen them, and should have no opportunity of considering them before they should operate: But that subsequent amendments being only recommendatory in their nature, could be reviewed by the people before they would become a part of the system; and if they disapproved of them, they might direct their Delegates in Congress to alter and modify them.)—Mr. *Tyler* then proceeded—I have seen their subsequent amendments, and although they hold out something like the thing we wish for, yet they have not entered pointedly and substantially into it. What have they said about direct taxation? They have said nothing on this subject. Is there any limitation of, or restriction on the Federal Judicial power? I think not. So that Gentlemen hold out the idea of amendments which will not alter one dangerous part of it. It contains many dangerous articles. No Gentleman here can give such a construction of it, as will give general satisfaction. Shall we be told that we shall be attacked by the Algerines, and that disunion will take place unless we adopt it? Such language as this I did not expect here.

Little did I think that matters would come to this, when we separated from the mother country—There, Sir, every man is amenable to punishment. There is far less responsibility in this Government. British tyranny would have been more tolerable. By our present Government every man is secure in his person, and the enjoyment of his property. There is no man who is not liable to be punished for misdeeds. I ask what is it that disturbs men when liberty is in the highest zenith? Human nature will ever be the same. Men never were, nor ever will be satisfied with their happiness.

They tell you, that one letter's alteration will destroy it. I say that it is very far from being perfect. I ask if it were put in immediate operation, whether the people could bear it;—whether two bodies can tax the same species of property? The idea of two omnipotent powers is inconsistent. The natural tendency must be, either a revolt, or the destruction of the State Governments, and a consolidation of them all into one general system. If we are to be consolidated, let it be on better grounds. So long as climate will have effect on men, so long will the different climates of the United States, render us different. Therefore a consolidation is contrary to our nature, and can only be supported by an arbitrary Government.

Previous and subsequent amendments are now the only dispute, and when Gentlemen say, that there is a greater probability of obtaining the one, than the other, they accompany their assertions with no kind of argument. What is the reason that amendments cannot be got after ratification? Because we have granted power.—Because the amendments you propose will diminish their power, and undo some clauses in that paper. This argument proves to me, that they cannot be serious. It has been plainly proved to you, that it is impracticable. Local advantages are given up as well as the regulation of trade. When this is the case, will the little States agree to an alteration? When Gentlemen insist on this without producing any argument, they will find no credulity in me. Another Convention ought to be had, whether the amendments be previous or subsequent. They say another Convention is dangerous. How is this proved? It is only their assertion. Gentlemen tell us we shall be ruined without adoption. Is this reasonable? It does not appear so to me.

Much has been said on the subject of war by foreigners, and the Indians. But a great deal has been said in refutation of it. Give me leave to say, that from the situation of the powers of Europe at this time, no danger is to be apprehended from thence. Will the French go to war with you, if you do not pay them what you owe them? Will they thereby destroy that balance, to preserve which, they have taken such immense trouble? But Great-Britain will go to war with you, unless you comply with the treaty. Great-Britain, which to my sorrow, has monopolized our trade, is to go to war with us unless the law of treaties be binding. Is this reasonable? It is not the interest of Britain to quarrel with us. She will not hazard any measure which may tend to take our trade out of her hands. It is not the interest of Holland to see us destroyed, or oppressed. It is the interest of every nation in Europe to keep up the balance of power, and therefore they will not suffer any nation to attack us, without immediately interfering.

But much is said of the propriety of our becoming a great, and powerful nation. There is a great difference between offensive and defensive war. If we can defend ourselves, it is sufficient. Shall we sacrifice the peace and happiness of this country, to enable us to make wanton war?

My conduct through the revolution will justify me.—I have invariably wished to oppose oppressions. It is true, that I have now a paltry office. I am willing to give it up—away with it.—It has no influence on my present conduct. I wished Congress to have the regulation of trade. I was of opinion that a partial regulation alone would not suffice. I was among those Members who a few years ago proposed that regulation. I have lamented that I have put my hand to it, since this measure may have grown out of it. It was the hopes of our people to have their trade on a respectable footing. But it never entered into my head that we should quit liberty, and throw ourselves into the hands of an energetic Government. Do you want men to be freer, or less free than they are? Gentlemen have been called upon to shew the causes of this measure.—None have been shewn. Gentlemen say we shall be ruined unless we adopt it. We must give up our opinions. We cannot judge for ourselves.—I hope Gentlemen before this, have been satisfied that such language is improper. All States which have heretofore been lavish in the concession of power, and relinquishment of privileges, have lost their liberty. It has been often observed (and it cannot be too often observed) that liberty ought not to be given up without knowing the terms. The Gentlemen themselves cannot agree in the construction of various clauses of it. And so long as this is the case, so long shall liberty be in danger.

Gentlemen say we are jealous.—I am not jealous of this House. I could trust my life with them. If this Constitution were safer I should not be afraid. But its defects warrant my suspicions and fears.—We are not passing laws now, but laying the foundation on which laws are to be made. We ought therefore to be cautious how we decide. When I consider the Constitution in all its parts, I cannot but dread its operation. It contains a variety of powers too dangerous to be vested in any set of men whatsoever. Its power of direct taxation, the supremacy of the laws of the Union, and of treaties, are exceedingly dangerous.—I have never heard any manner of calling the President to account for his conduct, nor even the Members of the democratic branch of the Government. We may turn out our ten Members, but what can we do with the other fifty-five. The wisdom of Great-Britain gave each State its own Legislative Assembly, and Judiciary, and a right to tax themselves. When they attempted to infringe that right, we declared war. This system violates that right. In the year 1781 the Assembly were obliged to pass a law that forty Members could pass laws. I have heard many Members say that it was a great departure from the Constitution, and that it would lead to aristocracy. If we could not trust forty, can we trust ten? Those who lay a tax ought to be amenable to the payment of a proportionate share of it. I see nothing in their subsequent amendments going to this point—that we shall have a right to tax ourselves. But Gentlemen say, that this would destroy the Constitution. Of what avail then will their subsequent amendments be? Will Gentlemen satisfy themselves that when they adopt this Constitution, their country will be happy? Is not the country divided? Is it a happy Government which divides the people, and sets brother in opposition to brother? This measure has produced anarchy and confusion. We ought to have been unanimous, and gone side by side, as we went through the revolution. Instead of unanimity, it has produced a general diversity of opinions, which may terminate in the most

unhappy consequences.—We only wish to do away ambiguities, and establish our rights on clear and explicit terms. If this be done, we shall be all like one man—we shall unite and be happy. But if we adopt it in its present form, unanimity or concord can never take place.—After adoption, we can never expect to see it amended; because they will consider requests and solicitations for amendments as in a high degree dictatorial.—They will say, *You have signed and sealed, and you cannot now retract.*—When I review all these considerations, my heart is full, and can never be at peace, till I see these defects removed. Our only consolation is the virtue of the present age. It is possible that when they see the country divided, these politicians will reconcile the minds of their countrymen, by introducing such alterations as shall be deemed necessary. Were it not for this hope, I should be in despair. I shall say no more, but that I wish my name to be seen in the yeas and nays, that it may be known that my opposition arose from a full persuasion and conviction, of its being dangerous to the liberties of my country.

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