at the appearance of institutions that may seem calculated to place the power of the community in few hands, and to raise a few individuals to stations of great pre-eminence. And the influence of some foreign powers, who, from different motives, will not wish to see an energetic government established throughout the states.

In this view of the subject, it is difficult to form any judgment whether the plan will be adopted or rejected. It must be essentially matter of conjecture. The present appearances and all other circumstances considered, the probability seems to be on the side of its adoption. But the causes operating against its adoption are powerful, and there will be nothing astonishing in the contrary.

If it do not finally obtain, it is probable the discussion of the question will beget such struggles, animosities, and heats in the community that this circumstance, conspiring with the real necessity of an essential change in our present situation, will produce civil war . . .

A reunion with Great Britain, from universal disgust at a state of commotion, is not impossible, though not much to be feared. The most plausible shape of such a business would be the establishment of a son of the present monarch [George III] in the supreme government of this country, with a family compact.

If the government be adopted, it is probable General Washington will be the President of the United States. This will ensure a wise choice of men to administer the government, and a good administration. A good administration will conciliate the confidence and affection of the people, and perhaps enable the government to acquire more consistency than the proposed Constitution seems to promise for so great a country . . .

3. George Mason Is Critical (1787)

George Mason, a wealthy Virginia planter who owned five thousand acres, had played a leading role in the Revolutionary movement. A self-taught constitutional lawyer of high repute, a dedicated advocate of states’ rights, and an undying foe of slavery, he was one of the five most frequent speakers at the Philadelphia convention. Shocked by the whittling down of states’ rights, he finally refused to sign the Constitution and fought it bitterly in Virginia. His chief grievance was the compromise by which the South conceded a simple majority vote in Congress on navigation laws in return for twenty more years of African slave trade, of which he disapproved anybow. He set forth his objections in the following influential pamphlet. Which of his criticisms relate to states’ rights? which to the rights of the South? Which seem overdrawn in the light of subsequent events?

There is no Declaration [Bill] of Rights, and the laws of the general government being paramount to the laws and constitution of the several states, the declarations of rights in the separate states are no security . . .

The Judiciary of the United States is so constructed and extended as to absorb and destroy the judiciaries of the several states; thereby rendering law as tedious, intricate, and expensive, and justice as unattainable, by a great part of the community, as in England, and enabling the rich to oppress and ruin the poor.

The President of the United States has no Constitutional Council, a thing unknown in any safe and regular government. He will therefore be unsupported by proper information and advice, and will generally be directed by minions and favorites; or he will become a tool to the Senate—or a council of state will grow out of the principal officers of the great departments; the worst and most dangerous of all ingredients for such a council in a free country. From this fatal defect has arisen the improper power of the Senate in the appointment of public officers, and the alarming dependence and connection between that branch of the legislature and the Supreme Executive.

Hence also sprung that unnecessary officer, the Vice-President, who, for want of other employment, is made president of the Senate, thereby dangerously blending the executive and legislative powers, besides always giving to some one of the states an unnecessary and unjust pre-eminence over the others.

By declaring all treaties supreme laws of the land, the Executive and the Senate have, in many cases, an exclusive power of legislation; which might have been avoided by proper distinctions with respect to treaties, and requiring the assent of the House of Representatives, where it could be done with safety.

By requiring only a majority of Congress to make all commercial and navigation laws, the five Southern states, whose produce and circumstances are totally different from that of the eight Northern and Eastern states, may be ruined. For such rigid and premature regulations may be made as will enable the merchants of the Northern and Eastern states not only to demand an exorbitant freight, but to monopolize the purchase of the commodities at their own price, for many years, to the great injury of the landed interest and impoverishment of the people. And the danger is the greater as the gain on one side will be in proportion to the loss on the other. Whereas requiring two-thirds of the members present in both Houses would have produced mutual moderation, promoted the general interest, and removed an insuperable objection to the adoption of this government.

Under their own construction of the general clause [Article I, Section VIII, para. 18], at the end of the enumerated powers, the Congress may grant monopolies in trade and commerce, constitute new crimes, inflict unusual and severe punishments, and extend their powers as far as they shall think proper; so that the state legislatures have no security for the powers now presumed to remain to them, or the people for their rights.

There is no declaration of any kind for preserving the liberty of the press, or the trial by jury in civil causes [cases]; nor against the danger of standing armies in time of peace... .

This government will set out a moderate aristocracy; it is at present impossible to foresee whether it will, in its operation, produce a monarchy or a corrupt, tyrannical aristocracy. It will most probably vibrate some years between the two, and then terminate in the one or the other.
chusetts; and on the spur of the moment they are setting up a kite [hawk] to keep the henyard in order.

I hope in God this article [perpetual reeligibility of the president] will be rectified before the Constitution is accepted.

D. The Ratification Debate in Massachusetts

1. A Delegate Fears for the Little People (1788)

When the crucial Massachusetts ratifying convention met, it first mustered a majority against the Constitution. As Hamilton had predicted, the propertied and commercial elements favored it; the debtors (including many Shaysites), small farmers, and states' rights people generally fought it. The following outburst by Amos Singleton, one of the small-fry group, who had never attended school, is typical of much of the debate in the state conventions. Did he fear taxation without representation or merely taxation in itself? To what extent did he anticipate the thesis of Charles A. Beard regarding the self-seeking economic motives of the propertied Founding Fathers?

We contended with Great Britain—some said for a three-penny duty on tea; but it was not that. It was because they claimed a right to tax us and bind us in all cases whatever. And does not this Constitution do the same? Does it not take away all we have—all our property? Does it not lay all taxes, duties, imposts, and excises? And what more have we to give?

They tell us Congress won't lay dry [direct] taxes upon us, but collect all the money they want by impost [import duties]. I say, there has always been a difficulty about impost.... They won't be able to raise money enough by impost, and then they will lay it on the land and take all we have got.

These lawyers, and men of learning, and moneyed men, that talk so finely and gloss over matters so smoothly, to make us poor illiterate people swallow down the pill, expect to get into Congress themselves. They expect to be the managers of this Constitution, and get all the power and all the money into their own hands. And then they will swallow up all of us little folks, like the great Leviathan, Mr. President; yes, just as the whale swallowed up Jonah. This is what I am afraid of....

2. A Storekeeper Blasts Standing Armies (1788)

Samuel Nason, a saddler and later a storekeeper, expressed a common fear in the Massachusetts ratifying convention. Why was this unmoneved Massachusetts man so deeply concerned about an army?
