

TOPIC II

Debating Liberty and Security

DOCUMENT 5.10 “The Address and Reasons of Dissent of the Minority of the Convention of Pennsylvania to Their Constituents”
December 12, 1787

hroughout the summer of 1787, delegates from the states met in Philadelphia, Pennsylvania, to revise the Articles of Confederation, but they ultimately wrote an entirely new constitution for the republic. In late 1787, a minority of delegates to the Pennsylvania constitutional convention offered this dissent regarding elements of the new constitution.

ve dissent, first, because it is the opinion of the most celebrated writers on government, and confirmed by uniform experience, that a very extensive territory cannot be governed on the principles of freedom, otherwise than by a confederation of republics, possessing all the powers of internal government; but united in the management of their general, and foreign concerns.

We dissent, secondly, because the powers vested in congress by this constitution, must necessarily annihilate and absorb the legislative, executive, and judicial powers of the several states; and produce, from their ruins, one consolidated government, which, from the nature of things, will be an iron-handed despotism, as nothing sort of the supremacy of despotic sway could connect and govern these United States under one government. . . .

The powers of congress, under the new constitution, are complete and unlimited over the purse and the sword; and are perfectly independent of, and supreme over, the state governments, whose intervention in these great points, is entirely destroyed. By virtue of their power of taxation, congress may command the whole, or any part of the properties of the people. They may impose what imposts upon commerce—they may impose what land-taxes and taxes, excises, duties on all the instruments, and duties on every fine article that they may judge proper. In short, every species of taxation whether of an external or internal nature, comprised in section the 8th, of article the first [of the Constitution], . . . “the congress shall have power to lay and collect taxes, duties, imposts, and excises, to pay the debts, and provide for the common defence and general welfare of the United States.”

the American Museum, or, Repository of Ancient and Modern Fugitive Pieces, &c. Prose and Poetical (Philadelphia, PA: Matthew Carey, 1787), 542–544.

PRACTICING Historical Thinking

Identify: What are the chief concerns of the dissenters?

Analyze: How are these concerns justified in this document?

Evaluate: Using your knowledge of the history of the relationship between Great Britain and the North American British colonies, determine whether the dissenters’ claims are justified. Explain.

DOCUMENT 5.11 James Madison, Federalist No. 10
November 22, 1787

James Madison (1751–1836), Virginian and delegate to the Constitutional Convention in Philadelphia in the summer of 1787, composed the first draft of the new constitution. Along with Alexander Hamilton (1757–1804) and John Jay (1745–1829), he argued for its ratification in a series of essays entitled *The Federalist Papers* (1787–1788). Here, in Federalist No. 10, Madison argues that the new constitution will prevent factionalism, or divisions between groups, which many Americans feared would ultimately destroy the young republic.

The latent causes of faction are thus sown in the nature of man; and we see them everywhere brought into different degrees of activity, according to the different circumstances of civil society. A zeal for different opinions concerning religion, concerning government, and many other points, as well of speculation as of practice; an attachment to different leaders, ambitiously contending for pre-eminence and power; or to persons of other descriptions, whose fortunes have been interesting to the human passions, have, in turn, divided mankind into parties, inflamed them with mutual animosity, and rendered them much more disposed to vex and oppress each other, than to cooperate for their common good. So strong is this propensity of mankind, to fall into mutual animosities, that where no substantial occasion presents itself, the most frivolous and fanciful distinctions have been sufficient to kindle their unfriendly passions, and excite their most violent conflicts. But the most common and durable source of factions, has been the various and unequal distribution of property. Those who hold, and those who are without property, have ever formed distinct interests in society. Those who are creditors, and those who are debtors, fall under a like discrimination. A landed interest, a manufacturing interest, a mercantile interest, a moneyed interest, with many lesser interests, grow up of necessity in civilized nations and divide them into different classes, actuated by different sentiments and views. The regulation of these various and interfering interests forms the principal task of modern legislation, and involves the spirit of party and faction in the necessary and ordinary operations of the government. . . .

It is in vain to say, that enlightened statesmen will be able to adjust these clashing interests, and render them all subservient to the public good. Enlightened statesmen will not always be at the helm: nor in many cases, can such an adjustment

be made at all, without taking into view indirect and remote considerations, which will rarely prevail over the immediate interest which one party may find in disregarding the rights of another, or the good of the whole.

The inference to which we are brought is, that the *causes* of faction cannot be removed; and that relief is only to be sought in the means of controlling its *effects*. . . .

By what means is this object attainable? . . . Either the existence of the same passion or interest in a majority, at the same time, must be prevented; or the majority, having such coexistent passion or interest, must be rendered, by their number and local situation, unable to concert and carry into effect schemes of oppression. . . .

Hence, it clearly appears, that the same advantage, which a republic has over a democracy, in controlling the effects of faction, is enjoyed by a large over a small republic—is enjoyed by the union over the states composing it. Does this advantage consist in the substitution of representatives, whose enlightened views and virtuous sentiments render them superior to local prejudices, and to schemes of injustice? It will not be denied, that the representation of the union will be most likely to possess these requisite endowments. Does it consist in the greater security afforded by a greater variety of parties, against the event of any one party being able to outnumber and oppress the rest? In an equal degree does the increased variety of parties, comprised within the union, increase this security. Does it, in fine, consist in the greater obstacles opposed to the concert and accomplishment of the secret wishes of an unjust and interested majority? Here, again, the extent of the union gives it the most palpable advantage.

The Federalist, on the New Constitution, Written in 1788, by Mr. Hamilton, Mr. Madison, and Mr. Jay (Hallowell, ME: Masters, Smith, 1852), 43–48.

PRACTICING Historical Thinking

Identify: What are the sources of factionalism, according to Madison?

Analyze: What does he say are the best ways to address factionalism?

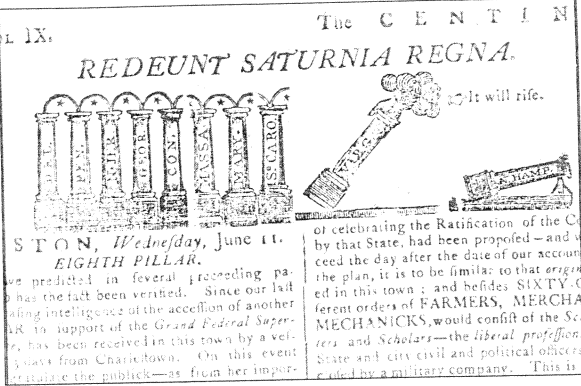
Evaluate: To what extent does this document address the concerns presented in Document 5.10?

DOCUMENT 5.12

Political Cartoon on Virginia’s Ratification of the Constitution, *Boston Independent Chronicle*

June 12, 1788

This political cartoon appeared in the *Boston Independent Chronicle* in 1788. According to the proposed US Constitution, nine of the thirteen states were required for ratification. In this cartoon, the Virginian “pillar” is being erected by a hand reaching out from a cloud. New Hampshire ratified the new constitution before Virginia, on June 21, 1788, and became the ninth state to do so.



PRACTICING Historical Thinking

- Identify:* Whose hand is present at the top of the cartoon?
- Analyze:* Based on the imagery in this cartoon, what is the cartoonist’s attitude toward the ratification of the US Constitution?
- Evaluate:* Why would some colonies not ratify the Constitution? Consult your textbook or class notes as needed.

APPLYING AP® Historical Thinking Skills

SKILL REVIEW | Comparison and Historical Argumentation

STEP 1 Review the following three documents. What are similar beliefs of all three? Write down your ideas in your notebook.

- Document 5.1, John Locke, *Two Treatises of Government*, 1690
- Document 5.2, Jonathan Mayhew, “Discourse Concerning Unlimited Submission and Non-Resistance to the Higher Powers,” 1750
- Document 5.6, Thomas Jefferson, Declaration of Independence, 1776

STEP 2 Now compare the following two documents. Which of the two seems closer to common beliefs of the above three documents? Write down these ideas too.

- Document 5.10, “The Address and Reasons of Dissent of the Minority of the Convention of Pennsylvania to Their Constituents,” December 12, 1787
- Document 5.11, James Madison, Federalist No. 10, November 22, 1787

STEP 3 Now construct a historical argument that accepts, refutes, or modifies the following claim:

In their debates over the new constitution, the Antifederalists used arguments that were closer to the ideals of the American Revolution than did the Federalists. Support your response with appropriate evidence.