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Edmund Randolph’s Remarks at the Virginia Ratifying Convention

[Transcript begins with second complete paragraph]

Governor *Randolph*—Having consumed heretofore so much of our time, I did not intend to trouble you again so soon. But I now call on this Committee, b way of right, to answer some severe charges against the friends of the new Constitution. It is a right I am entitled to, and shall have. I have spoken twice in this Committee. I have shewn the principles which actuated the General Convention, and attempted to prove, that after the ratification of the proposed system, by so many States, the preservation of the Union depended on its adoption by us.—-I find myself attacked in the most illiberal manner, by the Honorable Gentleman, I disdain his aspersions, and his insinuations. His asperity is warranted by no principle of Parliamentary decency, nor compatible with the least shadow of friendship; and if our friendship must fall–Let it fall like Lucifer, never to rise again. Let him remember that it is not to answer him, but to satisfy this respectable audience, that I now get up. He has accused me of inconsistency in this very respectable assembly. Sir, if I do not stand on the bottom of integrity, and pure love for Virginia, as much as those who can be most clamorous, I wish to resign my existence. Consistency consists in actions, and not in empty specious words. Ever since the first entrance into that federal business, I have been invariably governed by an invincible attachment to the happiness of the people of America. Federal measures had been before the time repudiated.The augmentation of Congressional powers was dreaded. The imbecility of the Confederation was proved and acknowledged. When I had the honor of being deputed to the Federal Convention to revise the existing system, I was impressed with the necessity of a more energetic Government, and thoroughly persuaded that the salvation of the people of America depended on an intimate and firm Union. The Honorable Gentleman there can say that when I went thither, no man was a stronger friend to such an Union than myself. I informed you why I refused to sign.

I understand not him who wishes to give a full scope to licentiousness and dissipation, who would advise me to reject the proposed plan, and plunge us into anarchy. [Here his Excellency read the conclusion of his public letter, (wherein he says, that notwithstanding his objections to the Constitution, he would adopt it rather than lose the whole Union) and proceeded to prove the consistency of his present opinion, with his former conduct; when Mr Henry arose, and declared that he had no personal intention of offending any one–that he did his duty–but that he did not mean to wound the feelings of any Gentleman–that he was sorry, if he offended the Honorable Gentleman without intending it–and that every Gentleman had a right to maintain his opinion—His Excellency then said, that he was relieved by what the Honorable Gentleman said–that were it not for the concession of the Gentleman, he would have made some men’s

hair stand on end, by the disclosure of certain facts. Mr. Henry then requested that if he had anything to say against him to disclose it. His Excellency then continued–That as there were some Gentlemen there who might not be satisfied by the recantation of the Honorable Gentleman, without being informed, he should give them some information on the subject. That his ambition had ever been to promote the Union,–that he was no more attached to it now than he always had been–and that he could in some degree prove it by the paper which he held in his hand, which was his public letter. He then read a considerable part of his letter, wherein he expressed his friendship to the Union. He then informed the Committee, that on the day of election of Delegates for the Convention, for the county of Henrico, it being incumbent upon him to give his opinion, he told the respectable freeholders of that county his sentiments: That he wished not to become a member of that Convention: That he had not attempted to create a belief, that he would vote against the Constitution: That he did really unfold to them his actual opinion; which was perfectly reconcilable with the suffrage he was goingto give in favor of the Constitution. He then read part of a letter which he had written to his constituents on the subject, which was expressive of sentiments amicable to an Union with the other States. He then threw down the letter on the clerk's table, and declared that it might lie there for the inspection of the curious and malicious.]—-He then proceeded thus,–I am asked, why I have thought proper to patronize this Government? Not because I am one of those illumined, but because the felicity of my country requires it. The highest honors have no allurements to charm me. If he be as little attached to public places as I am, he must be free from ambition. It is true that I am now in an elevated situation; but I consider it a far less happy or eligible situation, than that of an inconsiderable land holder. Give me peace–I ask no more. I ask no honor or gratification–Give me public peace, and I will carve the rest for myself. The happiness of my country is my first wish. I think it necessary for that happiness, that this Constitution be now adopted; for in spite of the representation of the Honorable Gentleman, I see a storm growling over Virginia. No man has more respect for Virginia, or a greater affection for her citizens than I have; but I cannot flatter you with a kinder or more agreeable representation, while we are surrounded by so many dangers, and when there is so much rancor in the hearts of your citizens.

I beg the Honorable Gentleman to pardon me for reminding him, that his historical references and quotations are not accurate. If he errs so much with respect to his facts, as he has done in history, we cannot depend on his information or assertions. He had early in the debates instanced Holland as a happy democracy, highly worthy of our imitation. From thence he went over the mountains to Switzerland, to find another democracy. He represented all those cantons as being the democratic kind. I wish he had reflected a little more, and distinguished between those that are democratically from those which are aristocratical. He has already been reminded of his errors. I should not now put him right with respect to history, had he not continued his mistakes. Consult all writers from Sir William Temple to those of more modern times; they will inform you, that the republic of Holland is an aristocracy. He has inveighed against the Stadtholder. I do not understand his application of this to the American President. It is well known that were it not for the Stadtholder, the republic would have been ruined long ago. Holland it seems has no ten miles square. But she has the Hague, where the Deputies of the States assemble. It has been found necessary to have fixedplace of meeting. But the influence which it has given the province of Holland to have the seat of the Government within its territory, subject in some respect to its control, has been injurious to the other Provinces. The wisdom of the Convention is

therefore manifest in granting the Congress exclusive jurisdiction over the place of their session. I am going to correct a still greater error which he has committed, not in order to shew any little knowledge of history I may have (for I am by no means satisfied with its extent) but to endeavor to prevent any impressions from being made by improper and mistaken representations.

He said that Magna Charta destroyed all implication. That was not the object of Magna Charte, but to destroy the power of the King, and secure the liberty of the people. The Bill of Rights was intended to restore the Government to its primitive principles.

We are harassed by quotations from Holland and Switzerland, which are inapplicable in themselves, and not founded in fact.

I am surprised at his proposition of previous amendments, and his assertion, that subsequent ones will cause disunion–Shall we not loose our influence and weight in the Government, to bring about amendments, if we propose them previously? Will not the Senators be chosen, and the electors of the President be appointed, and the Government brought instantly into action after the ratification of nine States? Is this disunion, when the effect proposed will be produced? But no man here is willing to believe what the Honorable Gentleman says on this point. I was in hopes we should come to some degree of order. I fear that order is no more. I believed that we should confine ourselves to the particular clause under consideration, and to such other clauses as might be connected with it.

Why have we been told, that maxims can alone save nations–that our maxims are our Bill of Rights–and that the liberty of the press, trial by jury, and religion, are destroyed? Give me leave to say, that the maxims of Virginia are Union and Justice.

The Honorable Gentleman has past by my observations with respect to British debts. He has thought proper to be silent on this subject. My observations must therefore have full force. Justice is, and ought to be our maxim; and must be that of every temperate, moderate and upright man. I should not say so much on this occasion were it not that I perceive that the flowers of reasoning are perverted in order to make impressions unfavorable and inimical to an impartial and candid decision. What security can arisefrom a Bill of Rights? The predilection for it, has arisen from a misconception of its principles. It cannot secure the liberties of this country. A Bill of Rights was used in England to limit the King's prerogative: He could trample on the liberties of the people, in every cafe which was not within the restraint of the Bill of Rights.

Our situation is radically different from that of the people of England. What have we to do with Bills of Rights? Six or seven States have none. Massachusetts has declared her Bill of Rights as part of her Constitution. Virginia has a Bill of Rights, but it is no part of the Constitution. By not saying whether it is paramount to the Constitution or not, it has left us in confusion. Is the Bill of Rights consistent with the Constitution? Why then is it not inserted in the Constitution? Does it add any thing to the Constitution? Why is it not the Constitution? Does it except any thing from the Constitution; why not put the exception in the Constitution? Does it oppose the Constitution? This will produce mischief. The Judges will dispute which is paramount: Some will say, the Bill of Rights is paramount:–Others will say, that the Constitution

being subsequent in point of time, must be paramount. A Bill of Rights therefore, accurately speaking, is quite useless, if not dangerous, in a republic.

I had objections to this Constitution. I still have objections to it–[Here he read the objections which appeared in his public letter.]–The Gentleman asks, how comes it to pass that you are now willing to take it? I answer, that I see Virginia in such danger, that were its defects greater, I would adopt it. These dangers, thought not immediately present to our view, yet may not be far distant, if we disunite from the other States. I will join any man in endeavoring to get amendments, after the danger of disunion is removed by previous adoption.

The Honorable Gentleman says that the federal spirit leads to disunion. The federal spirit is not superior to human nature, but it cannot be justly charged with having a tendency to disunion. If we were to take the Gentleman's discrimination as our guide, the spirit of Virginia would be dictatorial. Virginia dictates to eight States. A single amendment proposed as the condition of our accession, will operate total disunion. Where is the State that shall conceive itself obliged to aid Virginia? The Honorable Gentleman lays, that there is no danger. Great in imagination, but nothing in reality. What is the meaning of this? What would this State do, if opposed alone to the arms of France or Great-Britain? Would there be no danger in such a case?Was not the assistance of France necessary to enable the United States to repel the attack of Great-Britain? In the last war by Union and a judicious concert of measures, we were triumphant. Can this be the case in a future war, if we disunite from our sister States? What would have been the consequence, if in the late war we had reposed our arms and depended on Providence alone? Shall we be ever at peace, because we are so now? It is unnecessary to provide against future events? His objection goes to prove that Virginia can stand by herself. The advice that would attempt to convince me of so pernicious an error, I treat with disdain. Our negroes are numerous, and daily becoming more so. When I reflect on their comparative number, and comparative condition, I am the more persuaded of the great fitness of becoming more formidable than ever.

It seems that republican borderers are peaceable. This is another lapse in history–Did he never know that a number of men were as much inspired with ambition as any individual? Had he consulted history, he would have known that the most implacable hatred between neighboring republics. It is proved by his favorite Roman history, that republican borderers are as apt to have rancor in their hearts, as any. The institution of Lycurgus himself, could not restrain republican borderers from hostility. He treats the idea of commercial hostility as extravagant. History might inform him of its reality. Experience might give him some instruction on the subject. Go to the Potowmack, and mark what you see. I had the mortification to see vessels within a very little distance from the Virginian shore, belonging to Maryland; driven from our ports by the badness of our regulations. I take the liberty of a freeman in exposing what appears to me to deserve censure. I shall take that liberty in reprehending the wicked act which attainted Josiah Philips: Because he was not a Socrates, is he to be attained at pleasure? After the use the Gentleman made of a word used innocently to express a croud, I thought he would be careful himself. We are all equal in this country. I hope that with respect to birth there is no superiority. It gives me peasure to reflect, that though a man cannot trace up his lineage, yet he is not to be despised. I shall always possess these sentiments and feelings. I shall never aspire at high offices. If my country should ever think my services worth any thing, it shall be in the humble capa–city of a Representative: Higher than this I will not aspire. He has

expatiated on the turpitude of the character of Josia Philips. Has this any thing to do with the principle on which he was attainted? We all agree that he was an abandoned man. But if you can prepare a bill, to attaint a man, and apss it throughout both Houses in an instant, I ask you, who is safe? There is no man, on whom a cloud may not hang some time or other, if a demagogue should think proper to take advantage of it to his destruction. Philips had a commission in his pocket at that time. He was therefore only a prisoner of war. This precedent may destroy the best man in the community; when he was arbitrarily attainted merely because he was not a Socrates.

He has perverted my meaning with respect to our Government. I spoke of the Confederation. He took no notice of this. He reasoned of the Constitution of Virginia. I had said nothing of it on that occasion. Requisitions, however, he said, were safe and advisable, because they give time for deliberation. Will not taxation do this? Will not Congress, when laying a tax, bestow a thought upon it?–But he means to say, that the State itself ought to say, whether she pleases to pay or not. Congress by the Confederation has power to make any requisitions. The States are constitutionally bound to pay them. We have seen their happy effects. When the requisitions are right, and duly proportioned, it is in the power of any State to refuse to comply with them.

He says, that he would give them impost. I cannot understand him, as he says he has an hereditary hatred to custom-house officers. Why despite them? Why should the people hate them? I am afraid he had accidentally discovered the principle, that will lead him to make greater opposition than can be justified by any thing in the Constitution. I would undertake to prove the fallacy of every observation he made on that occasion: But it is too late now to add any more. At another opportunity I shall give a full refutation of all he has said.

[End of Randolph remarks]

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