

---

---

# DIPLOMATIC HISTORY

---

---

THE JOURNAL OF



The Society for Historians of American  
Foreign Relations

**Editor:** MICHAEL J. HOGAN, *The Ohio State University*

**Associate Editors:** JEFFREY P. KIMBALL, DAVID S. McLELLAN  
*Miami University*

**Editorial Assistants:** MARY ANN HEISS, KURT S. SCHULTZ,  
ALLISON SWEENEY  
*The Ohio State University*

## BOARD OF EDITORS

Walter LaFeber, *Cornell University (1987)*

Michael Schaller, *University of Arizona (1987)*

Joseph A. Fry, *University of Nevada, Las Vegas (1987)*

Burton I. Kaufman, *Kansas State University (1988)*

Richard H. Immerman, *University of Hawaii at Manoa (1988)*

Waldo H. Heinrichs, *Temple University (1988)*

Mark A. Stoler, *University of Vermont (1989)*

Sandra C. Taylor, *University of Utah (1989)*

Roger R. Trask, *Department of Defense (1989)*

PUBLISHED QUARTERLY

for The Society for Historians of American Foreign Relations by

*Scholarly Resources Inc.*

104 Greenhill Avenue · Wilmington, Delaware 19805

## Isolationism and Antifederalism: The Ratification Debates

NORMAN A. GRAEBNER

Essentially the debates on ratification of the U.S. Constitution turned on two competing conceptions of the external world and the presumed requirements for successful coexistence with it. Was the international environment so dangerous and the country's interests so extended that only the powers which the Constitution conveyed to the general government would enable the republic to guarantee its security and well-being from foreign encroachment? Federalists contended no less. For them the United States would survive, if at all, by re-entering the game of world politics with a strong hand. The record of external failure under the Articles of Confederation had clarified the need for a new frame of government. That government, complained one critic, "exposed us to ruin and distress at home and disgrace abroad. At the peace . . . America held a most elevated rank among the powers of the earth; but how are the mighty fallen! disgraced have we rendered ourselves abroad and ruined at home."<sup>1</sup> Another commentator admonished his readers in the *Pennsylvania Gazette*: "Listen to the insults that are offered to the American name and character in every court in Europe." Daniel Clymer asserted before the Pennsylvania Assembly that the Articles of Confederation had brought on the country "the contempt of every surrounding tribe and the reproach and obloquy of every nation." One disillusioned observer beheld the American name "insulted and despised by all the world."<sup>2</sup>

For Federalists the evidences of national decline were universal. Everywhere, they complained, other nations took advantage of America's imbecility. The fur trade had gone to Canada. British garrisons continued to hold

---

<sup>1</sup>"One of the People," *Pennsylvania Gazette* (Philadelphia), 17 October 1787, in *The Documentary History of the Ratification of the Constitution*, 16 vols., ed. Merrill Jensen (Madison, 1976), 2:187 (hereafter cited as Jensen, *Documentary History*).

<sup>2</sup>"Foederal Constitution," *Pennsylvania Gazette*, 10 October 1787, in *Commentaries on the Constitution, Public and Private*, 4 vols., ed. John P. Kaminski and Gaspare J. Saladino (Madison, 1981-1986), 1:365 (hereafter cited as *Commentaries* with volume number); Daniel Clymer in Jensen, *Documentary History* 2:77; "A Plain Citizen," *Independent Gazetteer* (Philadelphia), 22 November 1787, *ibid.*, 289.

the forts along the northern frontier, largely because Congress still failed to obtain the full compliance of the states with the treaty of peace. Charles C. Pinckney complained of such weakness in the South Carolina ratifying convention: "Inquire of our delegates to Congress if all the despatches from your public ministers are not filled with lamentations of the imbecility of Congress; and whether foreign nations do not declare they can have no confidence in our government, because it has not power to enforce obedience to treaties."<sup>3</sup> Public and private finances were in extreme disorder. Congress's perennial failure to requisition adequate funding from the states had driven it to the expedient of negotiating new loans in Europe both to pay interest on the foreign debt and to support the civil government at home. Unpaid debts had almost demolished the country's credit in Europe. Alexander Hamilton believed it strange that anyone could deny the defects in the Articles of Confederation and the need for a more efficient government.<sup>4</sup>

Far more dramatic were the descriptions of the distress that prevailed in the cities. Shipyards were quiet while foreign flags flew triumphantly on the masts of the ships that crowded the nation's harbors. "Look at the melancholy countenances of our mechanics . . . without employment," cried one Pennsylvania Federalist. "See our ships rotting in our harbors, or excluded from nearly all of the ports of the world."<sup>5</sup> In New York, reported the *Newport Herald* in October 1787, "there are now sixty ships, of which fifty-five are British."<sup>6</sup> Industrial productions continued to decrease in value. Instead of transporting American goods, carriers flooded the market with the gewgaws of Europe. Without some change, warned the *Newport Herald*, "the Northern States will soon be depopulated and dwindle into poverty, while the Southern ones will become silk worms to toil and labor for Europe."<sup>7</sup> Essentially the problem lay in the powerlessness of American shippers to penetrate foreign markets. "Is there an English, or a French, or a Spanish island or port in the West Indies," John Jay complained, "to which an American vessel can carry a cargo of flour for sale? Not one. The Algerines exclude us from the Mediterranean, and adjacent countries; and we are neither able to purchase, nor to command the free use of those seas." Another observer, writing in the *New Haven Gazette*, invited his readers to view "that indigent and begging situation to which our commerce is reduced in every part of the globe. Where is the port worth visiting, from whence we are not utterly excluded, or loaded with duties and customs sufficient to absorb the whole?"<sup>8</sup>

<sup>3</sup>Charles Cotesworth Pinckney in *The Debates in the Several State Conventions on the Adoption of the Federal Constitution*, 5 vols., ed. Jonathan Elliot (Philadelphia, 1896), 4:282.

<sup>4</sup>Tench Coxe in *Commentaries* 3:174; Hamilton quoted in Elliot, *Debates in the Several State Conventions* 2:231.

<sup>5</sup>"Foederal Constitution," *Pennsylvania Gazette*, 10 October 1787, in *Commentaries* 1:365.

<sup>6</sup>*Newport Herald*, 25 October 1787, *ibid.*, 483.

<sup>7</sup>*Ibid.*, 484.

<sup>8</sup>John Jay's Address to the People of the State of New York, 17 September 1787, in *Pamphlets on the Constitution of the United States*, ed. Paul Leicester Ford (Brooklyn, 1888), 73; Social Compact, *New Haven Gazette*, 4 October 1787, in *Commentaries* 1:310-11.

For Federalist leaders such obvious weakness in external affairs merely exposed the republic to more and more violent assaults on its political and territorial integrity. The *Boston Independent Chronicle* observed flatly that the United States, without a national government, "would soon become a prey to the nations of the earth." Unfortunately the European powers, all unfriendly to the United States, had noted the country's divisions. "If we continue so," Oliver Ellsworth warned the Connecticut ratifying convention, "how easy it is for them to canton us out among them, as they did the Kingdom of Poland."<sup>9</sup> Hostile nations, he said, could easily sweep off a number of separate states, one by one. Hugh Williamson, the North Carolina Federalist, noted the country's lack of defenses and the dangers it posed. The United States, he observed in the *State Gazette of North Carolina*, had some five hundred troops scattered along the Ohio River to protect frontier inhabitants, but these were poorly paid and about to be disbanded. "You are not in a condition to resist the most contemptuous enemy," he continued. "What is there to prevent an Algerine pirate from landing on your coast, and carrying your citizens into slavery? You have not a single sloop of war."<sup>10</sup> Spain with its extensive possessions in the southwest was immediately threatening, but it was Great Britain—powerful, warlike, and vindictive—that remained the country's major antagonist. One day, Federalists predicted, that country might seek to revenge its loss and retrieve its laurels buried in America. Unless the United States could underwrite its European engagements with greater force, added North Carolina's William R. Davie, it would be perpetually involved in destructive wars. To Federalists the American ship of state was eminently unfit to encounter its enemies.<sup>11</sup>

Fortunately for the nation, the Constitution before it offered salvation from all the country's domestic and foreign ills. Under the new plan of government the United States would quickly regain its commercial prosperity. "Commerce, Arts and every species of industry," predicted one ardent Federalist, "will rapidly increase . . . and the fullest wishes of every true American will in short time be realized. Our government once established what a harvest would an European war be for our country—in a state of peace, with a warring world, our vessels would become the carriers to all Europe."<sup>12</sup> Shipbuilding would revive. American sails would whiten the Atlantic as the nations of Europe sought the nation's friendship. Far more important, under the new Constitution the United States would achieve its proper rank among the nations of the earth. Andrew Allen, a Loyalist writing from London, observed that the American people would then have it within their power to retrieve their lost national character. An energetic government, chimed the

<sup>9</sup>*Boston Independent Chronicle*, 4 October 1787, in *Commentaries* 1:315; Oliver Ellsworth's speech in the Connecticut convention, 4 January 1787, *ibid.*, 3:247.

<sup>10</sup>*Ibid.*, 244; Hugh Williamson's Remarks on the New Plan of Government, in *Essays on the Constitution of the United States*, ed. Paul Leicester Ford (Brooklyn, 1892), 403.

<sup>11</sup>Innes, Davie, and Hamilton in Elliot, *Debates in the Several State Conventions* 2:231, 3:634–35, 4:18.

<sup>12</sup>"A True American," in *Commentaries* 1:267.

*Newburyport Essex Journal*, "would raise us from the lowest degree of contempt, into which we are now plunged, to an honorable, and consequently equal station among the nations."<sup>13</sup> James Wilson declared simply that the new system of government would make the United States a nation, commanding the respect of others. To George Washington the adoption of a national government would render the United States sufficiently respectable that no nation would thereafter dare to treat it with contempt. William Samuel Johnson of Connecticut issued a final warning: "If we reject a plan of government, which with such favourable circumstances is offered for our acceptance, I fear our national existence must come to a final end."<sup>14</sup>

For Antifederalists the Federalist assault on the nation's mind and emotions was formidable indeed. Undaunted by the Federalist appeal to American nationalism, opponents of the Constitution accepted the challenge of countering the Federalist effort to anchor the ratification program to an exaggeration of the nation's insecurity. Patrick Henry, Virginia's famed patriot-turned-Antifederalist, accused the Constitution's leading proponents of attempting to hang dangers over the citizens of Virginia to induce them to abandon the Articles of Confederation. "Unless there be great and awful dangers," he declared before the Virginia convention, "the charge is dangerous, and the experiment ought not to be made. In estimating the magnitude of these dangers, we are obliged to take a most serious view of them—to see them, to handle them, and to be familiar with them. It is not sufficient to feign mere imaginary dangers; there must be a dreadful reality. The great question between us is, Does that reality exist?"<sup>15</sup> For Henry it was essential that the Constitution be debated on its merits and not forced on the American people with descriptions of danger that did not exist. That plea, repeated by countless others, inaugurated a pervasive American isolationism, a view of the world based principally on the assumption of an international environment of sufficient security to eliminate the need for extensive and costly defenses, international alliances, or demanding, tension-producing foreign policies.

Antifederalists denied that the American experience under the Articles of Confederation had been disastrous. For them the country's past and present achievements were astonishing, in need of no reinforcement from a powerful, centralized government. Melancthon Smith, a member of the New York state convention, challenged the Federalist effort to paint the country's condition in hideous and frightful colors. "From this high-wrought picture," Smith concluded, "one would suppose that we were in a condition the most deplorable of any people upon earth. But suffer me, my countrymen, to call your

<sup>13</sup> Andrew Allen to Tench Coxe, 13 November 1787, in *Commentaries* 4:123; *Newburyport Essex Journal*, 10 October 1787, *ibid.* 1:361.

<sup>14</sup> James Wilson in Elliot, *Debates in the Several State Conventions* 2:527; Washington to Sir Edward Newenham, 20 July 1788, in *Documentary History of the Constitution of the United States of America, 1786-1870*, 5 vols. (Washington, DC, 1894), 4:805-6; William Samuel Johnson, speech in the Connecticut convention, 4 January 1788, in *Commentaries* 3:249.

<sup>15</sup> Patrick Henry in the Virginia convention, in Elliot, *Debates in the Several State Conventions* 3:150-51.

attention to a serious and sober estimate of the situation in which you are placed. . . . What is your condition? Does not everyman sit under his own vine and under his own fig tree, having none to make him afraid? Does not every one follow his calling without impediments and receive the reward of his well-earned industry?"<sup>16</sup> James Winthrop of Massachusetts, in his "Letters of Agrippa" published in the *Massachusetts Gazette*, offered an equally reassuring portrait of the country. Everything revealed improvement: "Agriculture has been improved, manufactures multiplied, and trade prodigiously enlarged."<sup>17</sup> Never, he added, had the country presented a better appearance of industry, progress, and tranquility; never had there been greater production of all things in the nation, demonstrating a general prosperity. The courts in every state had executed the laws fairly and punctually. Some of the states were discharging their debts, especially New York and Pennsylvania. The anticipated sale of western lands promised to reduce, if not eliminate, the debts of the U.S. government. How many Americans, concluded George Mason, would care to change places with the people of France or Russia, Europe's two leading powers? The people of the United States, whatever their woes, were as independent, as prosperous, and as respectable as any people on earth.<sup>18</sup>

What actual embarrassments the country suffered, ran the Antifederalist judgment, resulted from special circumstances, not the defects of government. The recent war had diminished the fortunes of countless citizens, preventing the payment of debts. Other adverse circumstances the American people had imposed on themselves. What had damaged American commerce and shipbuilding, Antifederalists repeated endlessly, was less the absence of adequate governmental power than the decline of frugality as Americans engaged in a profuse consumption of foreign commodities. The nation's citizens had acted imprudently when they exported their gold and silver to pay for nonessential luxuries. "Orators may declaim on the badness of the times as long as they please," wrote one Pennsylvanian, "but I must tell them that the want of *public virtue, and the want of money*, are two of the principal sources of our present grievances; and if we are under the pressure of these wants, it ought to teach us *frugality*."<sup>19</sup> No constitution, added John Williams before the New York convention, could defend the American people from their extravagance, from wearing the manufactures of England, or from deluging the country in debt.<sup>20</sup> The answer to the problem of American commerce lay in greater industry and economy, limiting expenditures to income. "The truth is," declared

---

<sup>16</sup>Melancthon Smith's Address to the People of the State of New York, in Ford, *Pamphlets on the Constitution*, 94.

<sup>17</sup>James Winthrop, *Massachusetts Gazette* (Boston), 27 November 1787, in Ford, *Essays on the Constitution*, 57.

<sup>18</sup>Richard Henry Lee to George Washington, 11 October 1787, in *Commentaries* 1:367; Mason in Elliot, *Debates in the Several State Conventions* 3:268.

<sup>19</sup>Melancthon Smith in Ford, *Pamphlets on the Constitution*, 95; "Alfred," *Independent Gazetteer*, 13 December 1787, in *Commentaries* 2:434.

<sup>20</sup>John Williams in Elliot, *Debates in the Several State Conventions* 2:240.

Melancthon Smith, "the country buys more than it sells. . . . There are too many merchants in proportion to the farmers and manufacturers. Until these defects are remedied, no government can relieve us. Common sense dictates, that if a man buys more than he sells, he will remain in debt; the same is true for the country."<sup>21</sup>

Convinced that the nation's problems were largely home-grown, Antifederalists accused the Federalists of overpromising in their vision of national growth and progress under the new plan of government. Richard Henry Lee reminded Americans that men in public life often stated facts, not as they were, but as they wished them to be. "When we want a man to change his condition," wrote Lee, "we describe it as miserable, wretched, and despised; and draw a pleasing picture of that which we would have him assume. And when we wish the contrary, we reverse our descriptions."<sup>22</sup> With considerable logic critics challenged the notion especially that the new Constitution would produce a flourishing economy, capable of erasing all public and private debts. One widely read Antifederalist, writing in the *Philadelphia Freeman's Journal*, rebuked the friends of the Constitution for duping the American people into believing that a new government would revolutionize the nation's commerce. Perhaps the power to regulate trade and lay imposts would bring some relief to the cities, but it would not, predicted Melancthon Smith, bring the promised benefits. Another noted Antifederalist termed imaginary the prospect of improved commerce under a new government. What would produce a flourishing trade, he wrote, was less the power of government than the freedom and energy of the people. Commerce was the handmaid of liberty. Any government with the power to create monopolies, and thereby encourage avarice, would damage rather than expand the nation's trade.<sup>23</sup>

Antifederalists predicted as well that America's troubles with Europe would find no solutions in any new frame of government. To them the nation's standing in the world was no reflection of its form of government. Foreign observer Louis Guillaume Otto proclaimed that it was wrong to describe the United States as the laughing stock of Europe. The United States, he said, held a position in world affairs precisely commensurate with its youth and the means it possessed. The country was neither rich enough nor sufficiently populated and established to appear with more luster. Thus the new plan of government would not alter the country's standing abroad. Perhaps the Federalists could be reproached, he admitted, "for the impatience of anticipating their future grandeur."<sup>24</sup> Whatever the British view of the new U.S. Constitution, its mere adoption would change little in British-American relations. The British maintained their possession of the frontier posts in large measure because it was in their interest to do so. To declare war for the recovery of

<sup>21</sup>Ford, *Pamphlets on the Constitution*, 107.

<sup>22</sup>Richard Henry Lee, *ibid.*, 281; *Commentaries* 2:20.

<sup>23</sup>"Philadelphiensis," *Philadelphia Freeman's Journal*, 12 December 1787, in *Commentaries* 2:419; "Centinel," *Independent Gazetteer*, 2 January 1788, *ibid.*, 3:233.

<sup>24</sup>Louis Guillaume Otto to Comte de Montmorin, 26 November 1787, *ibid.*, 230.

the posts was unthinkable under any form of government, simply because the American interests in the posts lay far below the threshold of a policy of force. Time, patience, and diplomacy alone would remove the British. As early as June 1787 Luther Martin, Maryland's noted lawyer, advised the Constitutional Convention that the state of the country's relations with Europe could not be attributed to the weakness of Congress. Countries, he said, pursued their own interests, and the recent dismemberment of the British Empire, exceedingly offensive to the British people, scarcely encouraged any tolerance in British diplomacy. For that reason, Martin concluded,

the Court of St. James, affects to treat us with contempt & avoids a treaty, & France our great & good Ally resents the Conduct of our Ministers in the course of the negotiations for a peace, & immediate Interest unites all the powers of Europe, in a combination to exclude from their West-India Islands, if not all our Vessels at least those of considerable burthen & enumerated Articles, comprising nearly every particular, which we can export to those Markets. . . . The variety of situations under which the Colonies were situated when they became States, the disproportioned Magnitude of the several independent Sovereignties, & that a very great proportion of the Inhabitants secretly wish destruction to the Polity under which they live, & we must confess, that our Patriotism must in some measure be put to the Test, under any Form of Government that may be introduced.<sup>25</sup>

Similarly, William Gordon, writing from London, characterized as deceitful the Federalist argument that the failure of the United States to gain a commercial treaty with England reflected a deficiency in the power of Congress. Britain, he noted, was disinclined to negotiate such a treaty and the new Constitution would not produce it.<sup>26</sup>

Antifederalists accepted Patrick Henry's supposition that the United States faced no immediate dangers from abroad. Europe was engaged; the Republic was tranquil. No country menaced it with war and the United States itself embraced no external causes of sufficient importance to merit a resort to arms. So negligible were the external dangers, Antifederalists argued, that the states alone were capable of protecting the peace and meeting any foreseeable exigencies. "The apprehension of danger," observed Melancthon Smith, "is one of the most powerful incentives to human action, and is therefore generally exerted on political questions: But still, a prudent man, though he foreseeth the evil and avoideth it, yet he will not be terrified by imaginary dangers."<sup>27</sup> Sensitive to the power of such appeals, Antifederalists chided those in the constitutional debate who sought to gain advantage by aggravating and exploiting the nation's insecurities. Richard Henry Lee complained that

---

<sup>25</sup>Luther Martin's address to the Constitutional Convention, probably 19 June 1787, in *The Records of the Federal Convention of 1787*, 4 vols., ed. Max Farrand (New Haven, 1911), 4:22.

<sup>26</sup>William Gordon to George Washington, 3 April 1788, in *Documentary History of the Constitution* 4:548.

<sup>27</sup>Ford, *Pamphlets on the Constitution*, 95-96.



too many of the nation's leaders were seeking to hasten the adoption of the Constitution by inventing a crisis. What concerned the Constitution's supporters, added James Winthrop, was not the presence of danger but the fear that the country's security simply denied the need for a centralized government.<sup>28</sup>

Cognizant of the vicissitudes of international life, Antifederalists agreed that human wisdom could never anticipate all the circumstances that might endanger a nation's peace or security. Whatever the degree of warning, there were times when a country's power, exerted with utmost vigor, could not repel an attacking force, much less fend off an unexpected attack. Every country of necessity formed a rational judgment of what power it would require to defend itself against a probable enemy. In response to extraordinary challenges, the United States, no less than other countries, would rely on the good order and patriotism which its people derived from a wise and prudent administration. But geographic isolation, observed the Antifederalists, permitted the American people to make a far more accurate estimate of the dangers than could other peoples of the world. The ocean that separated the United States from Europe vastly extended the country's margin for error. One widely read Antifederalist essayist, writing as "Brutus," analyzed in detail the security which derived from the country's geographical isolation:

We have no powerful nation in our neighborhood; if we are to go to war, it must either be with the Aboriginal natives, or with the European nations. The first are so unequal to a contest with this whole continent, that they are rather to be dreaded for the depredations they are able to make on our frontiers, than for any impression they will ever be able to make on the body of the country. Some of the European nations, it is true, have provinces bordering upon us, but from these, unsupported by their European forces, we have nothing to apprehend; if any of them should attack us, they will have to transport their armies across the Atlantic, an immense expence, while we should defend ourselves in our own country, which abounds with every necessity of life. For defence against any assault, which there is any probability will be made upon us, we may easily form an estimate.<sup>29</sup>

To fight the United States on the ground from either European or hemispheric bases would be a formidable task. Enemy vessels, hovering off the coasts, could scarcely touch the country at all. The advantages of size and distance from Europe rendered the country remarkably strong. The United States, concluded Patrick Henry, had nothing to fear from Europe and little to fear from its neighbors.<sup>30</sup>

America's ultimate defense against European encroachment lay in the European balance of power. John Adams and Thomas Jefferson observed

<sup>28</sup>Lee's observations on the Constitutional Convention, *ibid.*, 282; James Winthrop, *Massachusetts Gazette*, 30 November 1787, in Ford, *Essays on the Constitution*, 62.

<sup>29</sup>"Brutus" in the *New York Journal*, 3 January 1787, in *Commentaries* 3:238.

<sup>30</sup>Patrick Henry in Elliot, *Debates in the Several State Conventions* 3:141.

repeatedly from London and Paris that as long as England and France, occupying the two poles of the European equilibrium, remained strong and antagonistic toward one another, the United States was safe. During the ratification debates it was left for John Tyler of Virginia to attribute the absence of any European threat specifically to the European equilibrium. "Will the French go to war with you," he asked the delegates to the Virginia convention,

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 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.*<sup>31</sup>

Some Antifederalists suggested that the United States, with its remarkable wealth, its geographical advantages, and its pervading security, concentrate on internal matters and disregard the politics and interests of distant lands. They recognized the limits of American power in managing the affairs of Europe as well as the dangers of overinvolvement in affairs abroad that lay outside the nation's interests and control. If the world was competitive, the United States had no compelling reason to enter the competition. Why should the republic, asked James Winthrop, dissipate its resources in foreign quarrels merely for the sake of acting like other nations? Indeed, "Brutus" recommended that the American people let the European monarchs share the glory of war while the United States furnished the world "an example of a great people, who in their civil institutions hold chiefly in view, the attainment of virtue, and happiness among ourselves."<sup>32</sup> With its superb climate and vast expanses of land, the country seemed capable of producing all the necessities of life in abundance. It scarcely needed the goods of Europe or the centralized authority to underwrite needless and dangerous entanglements in the European world of power politics. At the same time the political system and the internal concerns of the United States could be no business of Europeans as long as the country paid its debts, fulfilled its treaty obligations, and avoided open infringements on the interests of others.<sup>33</sup>

Congress's incapacity for protecting the country's foreign trade was so evident that few questioned the decision of the Constitutional Convention to grant the power over commerce to the general government. It mattered little that American diplomacy had gained no commercial treaties with Europe's

<sup>31</sup>Tyler's statement, *ibid.*, 640. Italics added.

<sup>32</sup>Winthrop in Ford, *Essays on the Constitution*, 104; "Brutus" in the *New York Journal*, 3 January 1788, in *Commentaries* 3:236.

<sup>33</sup>Richard Henry Lee to James Gordon, Jr., 26 February 1788, *ibid.* 4:211.

leading states; the formal arrangements with France, Holland, and Prussia demonstrated the rule that treaties in themselves would not extend commerce. Regulation, not some elusive treaty in which the British had no interest, would break that country's monopoly of America's external commerce. Boston's James Bowdoin expressed the country's overwhelming sentiment when he declared: "The manner in which the states have suffered, for the want of a general regulation of trade, is so notorious, that little need be said upon the subject."<sup>34</sup> Once the American people were dependent only on Great Britain; now, complained Oliver Ellsworth, they were dependent "on every petty state in the world and every custom house officer in foreign ports." The power to regulate commerce, always a national matter, would at last enable the country to challenge the commercial policies of self-interested powers.<sup>35</sup> If the mere absence of commercial regulation was indeed responsible for the country's economic ills, Federalists could proclaim the Constitution's commercial provisions a sure guarantee of its future salvation.

For Antifederalists the Constitution's commerce clause raised questions of propriety and limits. Regulation would enable the United States to retaliate against British commercial policy, perhaps to good effect, but critics doubted that the times called for sweeping controls. James Winthrop noted that the commerce of Massachusetts was expanding without benefit of national regulation. Congress, he feared, might exercise its power over commerce to enhance the trade of one commercial center at the expense of another. "When commerce is left to take its own course," he declared, "the advantage of every class will be nearly equal. But when exclusive privileges are given any class, it will operate to the weakening of some other class connected with them."<sup>36</sup>

Southern Antifederalists were untroubled by the federal control of commerce but they distrusted the decision of the Philadelphia convention to place that power in the hands of a bare congressional majority. George Mason had broken with that convention and declined to sign the Constitution over that issue. Mason feared that the full power assigned to Congress gave that body the authority to extend special commercial privileges. The further assumption that the seven or eight nonsouthern states would have a majority in Congress merely reinforced the southern dread of the commerce power.<sup>37</sup> Any navigation act that excluded foreign vessels from the American carrying trade would grant a monopoly to the shipping interests of the eastern states and permit them to raise freight charges on southern products. To protect the south against a possible eastern commercial monopoly, Mason prepared an amendment to the Constitution that declared: "No Navigation Law, or Law for regulating Commerce shall be passed without the Consent of two thirds

<sup>34</sup>For James Monroe and James Bowdoin see Elliot, *Debates in the Several State Conventions* 2:129, 3:212-13.

<sup>35</sup>Oliver Ellsworth as "A Landholder," *Connecticut Courant*, 5 and 12 November 1787, in Ford, *Essays on the Constitution*, 141-43.

<sup>36</sup>*Ibid.*, 108-9.

<sup>37</sup>Mason's objections to the Constitution, 7 October 1787, in *Commentaries* 1:350; Richard Henry Lee to Edmund Randolph, 16 October 1787, *ibid.* 2:325.

of the Members present in both Houses." In late June 1788, Patrick Henry submitted that proposal to the Virginia convention.<sup>38</sup>

Federalists condemned Mason's amendment as irrelevant and misguided. James Iredell of North Carolina reminded his southern opponents that Congress, under the new plan of government, could grant no monopolies in trade and commerce. The Constitution declared specifically that "no preference shall be given to the ports of one State over those of another." Citizens of each state, moreover, were entitled under the Constitution "to all privileges and immunities of citizens in the several States."<sup>39</sup> Federalists wondered why southerners would presume the commercial control of Congress. Tench Coxe, writing in Philadelphia's *Independent Gazetteer*, reminded Mason and his southern associates that Delaware and New Jersey were no less agricultural than the south's five planting states, giving the noncommercial states a clear majority in both houses of Congress. Despite Philadelphia's primary interest in commerce, moreover, the bulk of Pennsylvania's delegates in Congress represented agricultural, not commercial districts. Similarly, in New York and Massachusetts commercial interests did not control the state delegations. Connecticut, Rhode Island, and New Hampshire were overwhelmingly rural. Even in the north, agriculture, not commerce, was the predominant economic interest. Coxe concluded that even in the commercial quarter of the country the shipping, manufacturing, and fishing interests included no more than one-eighth of the property and people devoted to agriculture. "In short," Coxe concluded, "agriculture appears to be the spring of our commerce, and the parent of our manufactures."<sup>40</sup>

Federalists, north and south, wondered why southern Antifederalists harbored such animosity and fear toward the eastern shipping interests. Ellsworth accused Mason and his supporters of preferring the British to Americans who happened to reside in New England. He complained that such Virginians wanted the government to protect all of Virginia's advantages, whatever the disadvantages to other states.<sup>41</sup> Federalists argued that the commerce clause in the Constitution protected southern interests no less than those of the carrying states. Edward Carrington of New York acknowledged that any navigation act that benefited American shipping would indeed serve eastern interests. But the carrying states, he reminded Thomas Jefferson, expected no less from the revolution than the expansion of their commerce. For the south there was more security in employing the vessels of New England and

<sup>38</sup>Robert A. Rutland, ed., *The Papers of George Mason, 1725-1792*, 3 vols. (Chapel Hill, 1970), 3:1056, 1117.

<sup>39</sup>James Iredell's answers to Mason's objections to the Constitution, in Ford, *Pamphlets on the Constitution*, 357.

<sup>40</sup>Tench Coxe as "An American," *Independent Gazetteer*, 28 December 1787, in *Commentaries* 3:166-69.

<sup>41</sup>"The Landholder" in *Connecticut Courant*, 10 December 1787, in Ford, *Essays on the Constitution*, 162; *Commentaries* 2:402.

the middle states than those of strangers.<sup>42</sup> Any unreasonable increase in the price of freight would merely promote shipbuilding in the south and offer additional employment to the coastal population. Any law that expanded American shipping would concomitantly promote the country's maritime power, much to the south's advantage. In the event of foreign invasion Virginia would of necessity look to the seafaring north for its defense.<sup>43</sup>

If Antifederalists accepted in principle the federal control of commerce, they rejected totally the extended powers of the general government over taxation and national defense. Indeed, these twin issues carried the burden of the Antifederalist assault on the work of the Philadelphia convention. Without the power to levy taxes on the people, ran the Federalist conviction, a government was useless, an expense without advantage. Congress under the Articles had the authority to make requisitions on the states. Some states paid nothing, producing a limited, uneven, and badly distributed congressional income to satisfy the country's internal and external demands.<sup>44</sup> Those "pompous petitions for public charity," as New York's Robert Livingston termed the requisitions, had not permitted the United States to settle its foreign and domestic debts or establish an adequate military establishment. The taxing power as embodied in the new plan of government would at last permit Congress to create a uniform, enforceable revenue system.<sup>45</sup>

In defending the taxing power, Federalists acknowledged reassuringly that the states, in granting such power, in no measure denied themselves a coequal right to tax, except in the area of import duties. They merely assigned a portion of their taxing authority to permit collective action where the states could not perform. It was essential only that the states have no authority to limit the ability of the federal government to obtain whatever it required to fulfill its obligations to the nation.<sup>46</sup> Hamilton reminded the New York convention that since a frame of government could not set bounds to a nation's need, it dare not set limits to its resources. The Constitution granted Congress the power of the purse, added Madison, because "the means ought to be commensurate to the end. The end is general protection."<sup>47</sup> Federalists doubted that external taxes, or import duties, would meet the country's financial requirements; already the demands on the government were too extensive for that. Hamilton observed in *The Federalist* No. 30 that "*in the usual progress*

<sup>42</sup>Edward Carrington to Thomas Jefferson, 23 October 1787, in *Documentary History of the Constitution* 4:347.

<sup>43</sup>Hugh Williamson's remarks on the new plan of government, in Ford, *Essays on the Constitution*, 410; "Civis," *Charleston Columbian Herald*, 4 February 1788, in *Commentaries* 4:24.

<sup>44</sup>"One of the People," *Pennsylvania Gazette*, 17 October 1787, in Jensen, *Documentary History* 2:190.

<sup>45</sup>Livingston in Elliot, *Debates in the Several State Conventions* 2:344; Noah Webster's examination into the leading principles of the Constitution, in Ford, *Pamphlets on the Constitution*, 49.

<sup>46</sup>*Ibid.*, 49-51; John Jay in Elliot, *Debates in the Several State Conventions* 2:380.

<sup>47</sup>Hamilton and Madison, *ibid.*, 351, 3:393-94.

*of things, the necessities of a nation in every stage of its existence will be found at least equal to its resources.*"<sup>48</sup>

What troubled Antifederalists was the provision that Congress alone possessed the authority to determine the needs of the United States. This set no limits on the power of Congress to tax. Richard Henry Lee declared that internal taxes, whether poll or land taxes, excises, or duties on written instruments, would be aimed at every person or species of property and carried to extreme lengths. John Tyler termed such taxing power "too dangerous to be vested in any set of men whatsoever."<sup>49</sup> Earlier efforts to increase Congress's taxing authority had limited such power to definite objects. Even when the United States was pressed on every side by British forces, the American people had recognized no need for such extensive taxing power. James Monroe complained as late as the Virginia convention that the country still faced no problems that necessitated such dangerous governmental powers; nor would it in the future. "It is a great maxim," echoed Melancthon Smith, "that all governments find a use for as much money as they can raise. Indeed, they have commonly demands for more. Hence it is that all . . . are in debt. I take this to be settled truth, that they . . . will at least live up to their income. Congress will ever exercise their powers to levy as much as the people can pay."<sup>50</sup> For Hamilton the needs of government would establish the level of taxes; for Smith the available taxes would determine the needs of government.

Throughout the ratification debates the question of taxation remained inseparable from that of a standing army. Federalists who argued that the country was seriously endangered viewed internal taxes as the essential means for maintaining an adequate national defense. For Hamilton the possibility of invasions or long, costly wars required a government with the power to fully enlist the country's financial resources. "The contingencies of society," he told the New York convention, "are not reducible to calculations. They cannot be fixed or bounded, even in imagination. Will you limit the means of your defence, when you cannot ascertain the force or extent of the invasion?" Madison assured the Virginia convention that except for the presence of external dangers he would not advocate the principle of direct taxation at all. Yet Congress, Madison argued, must have both the power of the purse and the power to raise the armed forces. Both powers resided in all governments because security against foreign danger was always a fundamental object of civil society.<sup>51</sup>

<sup>48</sup>Alexander Hamilton, John Jay, and James Madison, *The Federalist*, ed. Edward Mead Earle (New York, 1937), 185.

<sup>49</sup>Richard Henry Lee, "Letters of a Federal Farmer," in Ford, *Pamphlets on the Constitution*, 301; Tyler's statement in Elliot, *Debates in the Several State Conventions* 3:641. See also "Brutus" in the *New York Journal*, 3 January 1788, in *Commentaries* 3:237-38.

<sup>50</sup>Monroe and Smith in Elliot, *Debates in the Several State Conventions* 2:333, 3:214.

<sup>51</sup>Hamilton, *ibid.* 2:351; Madison's views, *ibid.* 3:249; "The Federalist," No. 41, in *The Papers of James Madison*, 14 vols., ed. Robert A. Rutland and Charles F. Hobson (Chicago, 1962-), 10:391.

Perhaps the United States, because of its isolated position, would not require the burdensome defenses of the European powers. But if the dangers were remote, James Iredell advised, no one should preclude that there were no dangers at all. Others who defended the principle of a standing army believed the dangers more acute. One Massachusetts Federalist declared in convention that the United States was "circumscribed with enemies from Maine to Georgia."<sup>52</sup> Such perceptions transformed the absence of an adequate defense into an invitation to aggression. This explained why most countries, James Wilson reminded his fellow Pennsylvanians, found it necessary to maintain an appearance of strength even in times of profound tranquility. By assuring enemies that the country was prepared to resist attack, a standing army might eliminate the necessity of larger forces to meet an actual invasion. For Wilson it was essential that the country never be compelled to declare war when it was not prepared to fight.<sup>53</sup> Congress would determine what defenses were necessary and proper. It alone could declare war and provide military supplies, with no appropriation to extend longer than two years. But Congress represented the people. Ultimately, Federalists assured the country, any military program would rest on public consent. It remained for Congress to strike a balance between the dangers and the necessities of a standing army. "On any scale," wrote Madison, "it is an object of laudable circumspection and precaution. A wise nation will combine all these considerations; and whilst it does not rashly preclude itself from any resources which may become essential to its safety, will exert all its prudence in diminishing both the necessity and the danger of resorting to one which may be inauspicious to its liberties."<sup>54</sup>

Antifederalists agreed that the general government required the power to raise an army in time of war; a peacetime army they rejected as a needless drain on the country's resources and a threat to its liberties. Even a small, disciplined force could control a large population. One delegate warned the Virginia convention against the establishment of an army "whose only occupation would be idleness; whose only effort the introduction of vice and dissipation; and who would, at some future day, deprive us of our liberties." Benjamin Harrison confessed to Washington his fear that a standing army "must sooner or later, establish a tyranny, not inferiour to the triumvirate . . . of Rome."<sup>55</sup> Congress, declared Patrick Henry, could, under the pretense of danger, sustain large armies as long as a majority believed it necessary; it

<sup>52</sup>Iredell in Elliot, *Debates in the Several State Conventions* 4:96; Christopher Gore, the "Massachusetts Federalist," *ibid.* 2:66-67. See also George Nicholas, 16 February 1788, in *Commentaries* 4:124.

<sup>53</sup>See Wilson's speech in Philadelphia, 6 October 1787, in *Commentaries* 1:341; Elliot, *Debates in the Several State Conventions* 2:521; Jensen, *Documentary History* 2:169.

<sup>54</sup>Rutland and Hobson, *Papers of James Madison* 10:392-93.

<sup>55</sup>Elliot, *Debates in the Several State Conventions* 3:611; Benjamin Harrison to George Washington, 4 October 1787, in *Documentary History of the Constitution* 4:313.

could extend two-year appropriations to the end of time.<sup>56</sup> Antifederalists denied that the country faced dangers that required such costs and risks. Why should the United States, they asked, sacrifice its peace and its established government to prepare for war against enemies that no one could define?<sup>57</sup> To defend the nation against such wasteful and dangerous decisions, Nathaniel Wythe proposed to the Virginia convention an amendment that any congressional effort to create an army would require the consent of two-thirds of the states. "Brutus" in the *New York Journal* called for a two-thirds majority in both houses of Congress to authorize an army. Richard Henry Lee, in his "Letters of a Federal Farmer," advocated a two-thirds or three-fourths vote in Congress on all matters of national defense.<sup>58</sup>

For Antifederalists the state militia appeared adequate for the country's needs. They objected only to the extensive powers over the militia that the Constitution assigned to Congress. Not only did the new plan of government establish congressional controls over arms and discipline, leaving to the states the actual training of the militia and the selection of officers, but also, in time of crisis, placed the militia under the direct control of Congress and the president. For George Mason, Patrick Henry, and the entire array of Antifederalist writers, such federal authority transcended what was necessary and reasonable. Henry could discover no constitutional guarantees to protect the people against the power of Congress to declare a national emergency and call the militia. In time such congressional power would become irretrievable. "It is easier to supply deficiencies in power," he warned, "than to take back excess of power."<sup>59</sup> Critics objected equally to Congress's authority to employ the militia in accordance with its own judgment of danger. To call the Georgia militia to suppress a disturbance in New Hampshire, declared Mason, would create such harassment that people might actually prefer a standing army. Mason agreed that the general government should have ultimate power over the militia, but only with the approval of the states. In real emergencies the states, concerned with the nation's safety, would never withhold their consent. But in no case, he declared, could militia be marched beyond the limits of an adjoining state without the approval of the state legislature. Maryland's convention offered an amendment to permit the federal movement of militia, only if selected by lot or voluntarily enlisted, beyond an adjacent state.<sup>60</sup>

<sup>56</sup>Elliot, *Debates in the Several State Conventions* 3:410; William Symmes to Peter Osgood, Jr., 15 November 1787, in *Commentaries* 2:112; "Brutus" in the *New York Journal*, 24 January 1788, *ibid.* 3:464.

<sup>57</sup>See John Tyler in Elliot, *Debates in the Several State Conventions* 3:640.

<sup>58</sup>Nathaniel Wythe, *ibid.*, 620-21; "Brutus," *New York Journal*, 24 January 1788, in *Commentaries* 3:465; Lee's "Letters of a Federal Farmer," in Ford, *Pamphlets on the Constitution*, 306.

<sup>59</sup>"A Democratic Federalist," *Pennsylvania Herald*, 17 October 1787, in *Commentaries* 1:390; Henry in Elliot, *Debates in the Several State Conventions* 3:384-85.

<sup>60</sup>Elliot, *Debates in the Several State Conventions* 2:502, 3:378-79; Rutland, *Papers of George Mason* 3:1073-74.



Federalists retorted that such restraints on the calling of the militia would render it useless in defending the country against invasion or insurrection.

Ultimately the long, impassioned debate over ratification turned on the presumed conflict between liberty and security. For Antifederalists the dangers besetting the American people did not lie in European ambitions, but in the proffered constitutional system itself. What troubled them especially was the unbounded quality of the power which the projected plan of government assigned to the legislative branch. The first article granted Congress "power to lay and collect taxes, duties, imposts, and excises, to pay the debts and provide for the common defense and the general welfare of the United States." The sixth article, no less threatening, ordained that "this constitution and the laws of the United States which shall be made in pursuance thereof, and all treaties made, or which shall be made under the authority of the United States, shall be the supreme law of the land."<sup>61</sup> Such extravagant and arbitrary authority, Robert Whitehill warned the Pennsylvania convention, would enable the federal government to absorb every subordinate jurisdiction. Indeed, such powers seemed sufficient to melt down the country into one consolidated empire, annihilating the independence and sovereignty of the states. Any process that destroyed the states would destroy the nation's liberties as well. "The vast Continent of America," one Antifederalist predicted gloomily, "cannot be long subject to Democracy, if consolidated into one government—you might as well attempt to rule Hell by Prayer."<sup>62</sup>

Antifederalists accepted readily the need to grant Congress limited revenue and a limited authority to regulate foreign commerce, but they could detect no dangers, at home or abroad, that dictated such pervading infringements on the states and, potentially, on the liberties of the people. For them the choice before the nation was not, as the Federalists contended, between adoption of the new plan of government and absolute ruin. There were no dangers, proclaimed Richard Henry Lee, that compelled the American people to hurry into a decision so momentous and potentially disastrous. Everywhere Antifederalists accused their opponents of alarming the public with nonexistent dangers. George Mason decried the Federalist program of raising phantoms "to show a singular skill in exorcisms, to terrify and compel us to take the new government with all its sins and dangers."<sup>63</sup> Samuel Bryan of Philadelphia, writing in the *Independent Gazetteer*, simply denied that the country was in a crisis. "The present distracted state of Europe," he concluded, "secures us from injury in that quarter, and as to domestic dissensions, we have not so much to fear from them, as to precipitate us into this form of government."<sup>64</sup> Critics wondered why the American people, when under no

<sup>61</sup>Samuel Bryan as "Centinel," *Independent Gazetteer*, 5 October 1787, in *Commentaries* 1:332-33.

<sup>62</sup>Robert Whitehill's speech in Jensen, *Documentary History* 2:396, 426; Thomas B. Wait to George Thatcher, 22 November 1787, in *Commentaries* 2:168.

<sup>63</sup>Richard Henry Lee to George Washington, 11 October 1787, in *Commentaries* 1:368; Rutland, *Papers of George Mason* 3:1067.

<sup>64</sup>Samuel Bryan in Jensen, *Documentary History* 2:166; *Commentaries* 1:336, 2:5.

compulsion, would willingly give up their confederated republic and assign such apparently limitless and dangerous powers to a central authority.<sup>65</sup>

In their defense of the Constitution the Federalists had the final word, arguing effectively that the new frame of government would enhance the nation's security without endangering the states or the people's liberty. They denied that the new assignment of power to Congress would consolidate the government or annihilate the states. The Constitution conveyed no such authority. Nor would Congress harbor such intentions. Congressional interests were inseparable from the interests of the people; that union of interests would continue.<sup>66</sup> In many important processes the federal government rested on state action. To prevent licentiousness the Constitution gave adequate powers to the government; to prevent tyranny it distributed such powers judiciously among three branches of government.<sup>67</sup> Federalists acknowledged readily that the Constitution would deprive the states of some powers, but in operation, they predicted, it would enhance the power of the states as well.

Federalists argued essentially, in conventions and in the press, that the Constitution assigned to Congress only those powers absolutely necessary to perform the functions of good government, none that the states could exercise more effectively.<sup>68</sup> James Wilson, who dominated the Pennsylvania convention, observed repeatedly that Article I contained only what was required to render effective the specific powers granted. To deny Congress the power to do mischief, added fellow Philadelphian Thomas McKean, would deny it the authority to do any good. Above all, ran the Federalist argument, the United States required the power to conduct the country's external relations justly and effectively.<sup>69</sup> In the real world of competition and conflict security required a government empowered to tax, to muster human and material resources, to build armies and navies, and to deter the aggressiveness of others. Whatever the wisdom of Federalist assumptions, James Wilson admitted at the end that the Constitution was not perfect, that some parts he preferably would have altered. "But," he concluded, "when I reflect how widely men differ in their opinions, and that every man . . . had an equal pretention to assert his own, I am satisfied that anything nearer to perfection could not have been accomplished."<sup>70</sup> With that judgment the Federalists who controlled the ratification process, and ultimately the nation, agreed.

<sup>65</sup>For this view from a French diplomat see Louis Guillaume Otto to Comte de Montmorin, 20 October 1787, in *Commentaries* 1:425.

<sup>66</sup>On Wilson see Jensen, *Documentary History* 2:485; Noah Webster, *New York Daily Advertiser*, 31 December 1787, in *Commentaries* 3:195.

<sup>67</sup>Jensen, *Documentary History* 2:404.

<sup>68</sup>Hugh Williamson in Ford, *Essays on the Constitution*, 400; "Foreign Spectator," *Independent Gazetteer*, 2 October 1787, in *Commentaries* 1:291; George Washington to the Marquis de Lafayette, 7 February 1788, in *Commentaries* 4:70; Pelatiah Webster as "A Citizen of Philadelphia," *Pennsylvania Packet*, 8 November 1787, in *Commentaries* 2:67.

<sup>69</sup>Wilson and McKean in Jensen, *Documentary History* 2:414, 496; Timothy Pickering to Charles Tillinghast, 24 December 1787, in *Commentaries* 2:204.

<sup>70</sup>Wilson's statement in Jensen, *Documentary History* 2:172; *Commentaries* 1:343.