The Source: Speeches Debating the Constitution from the New York Ratification Convention, June 21–28, 1788

The passages that follow are from debates that occurred between June 21 and June 28, when delegates on both sides gave long speeches detailing their contrasting opinions on the Constitution. You will notice that the style of presentation varies from one speech to the next. Some read like verbatim transcriptions, whereas others read like an editor's narrative summary of the speech's content. These differences resulted from day-to-day variances in how the proceedings were recorded by a newspaper editor who published them in the Daily Advertiser, *a New York newspaper.*

REPRESENTATION IN CONGRESS

One of the Antifederalists' chief objections to the Constitution was that the House of Representatives was not representative enough. The House would be limited in size to no more than one representative for every 30,000 people (today, it is about one representative for every 650,000 people). Antifederalists believed this limitation would lead to electoral districts much too large to represent the people adequately and that election would be out of the reach of any candidate not rich or famous enough to command reputation over such a wide area. Federalists responded to this argument by questioning whether more representatives actually meant better representation.

1 *Melancton Smith,* June 21, 1788

To determine whether the number of representatives proposed by this Constitution is sufficient, it is proper to examine the qualifications which this house[1] ought to possess, in order to exercise their power discreetly for the happiness of the people. The idea that naturally suggests itself to our minds, when we speak of representatives, is, that they resemble those they represent. They should be a true picture of the people, possess a knowledge of their circumstances and their wants, sympathize in all their distresses, and be disposed to seek their true interests. The knowledge necessary for the representative of a free people not only comprehends extensive political and commercial information, such as is acquired by men of refined education, who have leisure to attain to high degrees

[1] The House of Representatives.

Source: All debate passages reprinted in this chapter are excerpted from Bernard Bailyn, ed., *The Debate on the Constitution: Federalist and Anti-Federalist Speeches, Articles, and Letters during the Struggle over Ratification* (New York: Library of America, 1993), 2:759–835.

of improvement, but it should also comprehend that kind of acquaintance with the common concerns and occupations of the people, which men of the middling class of life are, in general, more competent to, than those of a superior class. To understand the true commercial interests of a country, not only requires just ideas of the general commerce of the world, but also, and principally, a knowledge of the productions of your own country, and their value, what your soil is capable of producing, the nature of your manufactures, and the capacity of the country to increase both. To exercise the power of laying taxes, duties, and excises, with discretion, requires something more than an acquaintance with the abstruse[2] parts of the system of finance. It calls for a knowledge of the circumstances and ability of the people in general—a discernment how the burdens imposed will bear upon the different classes.

From these observations results this conclusion—that the number of representatives should be so large, as that, while it embraces the men of the first class, it should admit those of the middling class of life. I am convinced that this government[3] is so constituted that the representatives will generally be composed of the first class in the community, which I shall distinguish by the name of the natural aristocracy of the country. I do not mean to give offence by using this term. I am sensible this idea is treated by many gentlemen as chimerical.[4] I shall be asked what is meant by the natural aristocracy, and told that no such distinction of classes of men exists among us. It is true, it is our singular felicity that we have no legal or hereditary distinctions of this kind; but still there are real differences. Every society naturally divides itself into classes. The Author of nature[5] has bestowed on some greater capacities than others; birth, education, talents, and wealth, create distinctions among men as visible, and of as much influence, as titles, stars, and garters. In every society, men of this class will command a superior degree of respect; and if the government is so constituted as to admit but few to exercise the powers of it, it will, according to the natural course of things, be in their hands. Men in the middling class, who are qualified as representatives, will not be so anxious to be chosen as those of the first. When the number is so small, the office will be highly elevated and distinguished; the style in which the members live will probably be high; circumstances of this kind will render the place of a representative not a desirable one to sensible, substantial men, who have been used to walk in the plain and frugal paths of life.

. . . A substantial yeoman,[6] of sense and discernment, will hardly ever be chosen. From these remarks, it appears that the government will fall into the hands of the few and the great. This will be a government of oppression. I do not mean to declaim against the great, and charge them indiscriminately with want of principle and honesty. The same passions and prejudices govern all men.

[2] Difficult to comprehend.

[3] The new federal government proposed by the Constitution.

[4] Imaginary.

[5] God.

[6] A middle-class farmer.

The circumstances in which men are placed in a great measure give a cast to the human character. Those in middling circumstances have less temptation; they are inclined by habit, and the company with whom they associate, to set bounds to their passions and appetites. If this is not sufficient, the want of means to gratify them will be a restraint: they are obliged to employ their time in their respective callings; hence the substantial yeomanry of the country are more temperate, of better morals, and less ambition, than the great. The latter do not feel for the poor and middling class; the reasons are obvious—they are not obliged to use the same pains and labor to procure property as the other. They feel not the inconveniences arising from the payment of small sums. The great consider themselves above the common people, entitled to more respect, do not associate with them; they fancy themselves to have a right of preeminence in every thing. In short, they possess the same feelings, and are under the influence of the same motives, as an hereditary nobility. I know the idea that such a distinction exists in this country is ridiculed by some; but I am not the less apprehensive of danger from their influence on this account. . . .

2 *Alexander Hamilton,* June 21, 1788

Mr. *Hamilton* then reassumed his argument. . . .

It has been observed, by an honorable gentleman,[1] that a pure democracy, if it were practicable, would be the most perfect government. Experience has proved that no position in politics is more false than this. The ancient democracies, in which the people themselves deliberated, never possessed one feature of good government. Their very character was tyranny; their figure, deformity. When they assembled, the field of debate presented an ungovernable mob, not only incapable of deliberation, but prepared for every enormity.[2] In these assemblies, the enemies of the people brought forward their plans of ambition systematically. They were opposed by their enemies of another party; and it became a matter of contingency, whether the people subjected themselves to be led blindly by one tyrant or by another.

It was remarked yesterday, that a numerous representation was necessary to obtain the confidence of the people. This is not generally true. The confidence of the people will easily be gained by a good administration. This is the true touchstone. I could illustrate the position by a variety of historical examples, both ancient and modern. In Sparta, the ephori were a body of magistrates, instituted as a check upon the senate, and representing the people. They consisted of only five men; but they were able to protect their rights, and therefore enjoyed their confidence and attachment. In Rome, the people were represented

[1] Melancton Smith.

[2] Outrage.

by three tribunes, who were afterwards increased to ten. Every one acquainted with the history of that republic will recollect how powerful a check to the senatorial encroachments this small body proved; how unlimited a confidence was placed in them by the people, whose guardians they were; and to what a conspicuous station in the government their influence at length elevated the plebeians. Massachusetts has three hundred representatives; New York has sixty-five. Have the people in this state less confidence in their representation than the people of that? Delaware has twenty-one. Do the inhabitants of New York feel a higher confidence than those of Delaware? I have stated these examples to prove that the gentleman's principle is not just. The popular confidence depends on circumstances very distinct from considerations of number. Probably the public attachment is more strongly secured by a train of prosperous events, which are the result of wise deliberation and vigorous execution, and to which large bodies are much less competent than small ones. . . .

It has been further, by the gentlemen in the opposition,[3] observed, that a large representation is necessary to understand the interests of the people. This principle is by no means true in the extent to which the gentlemen seem to carry it. I would ask, Why may not a man understand the interests of thirty as well as of twenty? The position appears to be made upon the unfounded presumption that all the interests of all parts of the community must be represented. No idea is more erroneous than this. Only such interests are proper to be represented as are involved in the powers of the general[4] government. These interests come completely under the observation of one or a few men; and the requisite information is by no means augmented in proportion to the increase of number. . . .

Sir, we hear constantly a great deal which is rather calculated to awake our passions, and create prejudices, than to conduct us to the truth, and teach us our real interests. I do not suppose this to be the design of the gentlemen. Why, then, are we told so often of an aristocracy? For my part, I hardly know the meaning of this word, as it is applied. If all we hear be true, this government is really a very bad one. But who are the aristocracy among us? Where do we find men elevated to a perpetual rank above their fellow-citizens, and possessing powers entirely independent of them? The arguments of the gentlemen only go to prove that there are men who are rich, men who are poor, some who are wise, and others who are not; that, indeed, every distinguished man is an aristocrat. This reminds me of a description of the aristocrats I have seen in a late publication styled the *Federal Farmer*.[5] The author reckons in the aristocracy all governors of states, members of Congress, chief magistrates, and all officers of the militia. This description, I presume to say, is ridiculous. The image is a

[3] The Antifederalists.

[4] Federal.

[5] A widely circulated Antifederalist pamphlet.

phantom. Does the new government render a rich man more eligible than a poor one? No. It requires no such qualification. . . .

It is a harsh doctrine that men grow wicked in proportion as they improve and enlighten their minds. Experience has by no means justified us in the supposition that there is more virtue in one class of men than in another. Look through the rich and the poor of the community, the learned and the ignorant. Where does virtue predominate? The difference indeed consists, not in the quantity, but kind, of vices which are incident to various classes; and here the advantage of character belongs to the wealthy. Their vices are probably more favorable to the prosperity of the state than those of the indigent, and partake less of moral depravity. . . .

3 *Melancton Smith*, June 21, 1788

The honorable *Melancton Smith* rose, and observed, that the gentleman[1] might have spared many of his remarks in answer to the ideas he had advanced. The only way to remedy and correct the faults in the proposed Constitution was, he imagined, to increase the representation and limit the powers. He admitted that no precise number could be fixed upon. His object only was to augment the number in such a degree as to render the government more favorable to liberty. . . .

The honorable member[2] had observed, that the confidence of the people was not necessarily connected with the number of their rulers, and had cited the ephori of Sparta, and the tribunes in Rome, as examples. But it ought to be considered, that, in those places, the people were to contend with a body of hereditary nobles; they would, therefore, naturally have confidence in a few men who were their leaders in the constant struggle for liberty. The comparison between the representations of several states did not better apply. New York had but sixty-five representatives in Assembly. But because sixty-five was a proper representation of two hundred and forty thousand, did it follow that it was also sufficient for three millions? The state legislatures had not the powers of the general government, and were not competent to those important regulations which might endanger liberty.

The gentleman, continued Mr. *Smith*, had ridiculed his idea of an aristocracy, and had entered into a definition of the word. He himself agreed to this definition, but the dispute was not of words, but things. He was convinced that in every society there were certain men exalted above the rest. These men he did not consider as destitute of morality or virtue. He only insisted that they could not feel sympathetically the wants of the people.

[1] Alexander Hamilton.

[2] Hamilton.

SOURCES OF CORRUPTION

Both the Federalists and the Antifederalists believed corruption in government resulted from the pursuit of individual ambitions for wealth, fame, and power. They disagreed over who was more or less likely to fall prey to such ambitions. The Antifederalists believed the Constitution gave free rein to the ambitions of the rich and powerful. The Federalists believed that under the Constitution those seeking office in the federal government were more likely to do so out of a sense of public-spiritedness than personal gain.

4 *Robert R. Livingston,* June 23, 1788

Robert R. Livingston was a Federalist delegate and chancellor of the New York State Supreme Court. He came from one of New York's wealthiest and most distinguished families.

The honorable gentleman from Dutchess,[1] who has so copiously declaimed against all declamation,[2] has pointed his artillery against the rich and the great. I am not interested in defending rich men: but what does he mean by telling us that the rich are vicious and intemperate?[3] Will he presume to point out to us the class of men in which intemperance is not to be found? Is there less intemperance in feeding on beef than on turtle?[4] or in drinking rum than wine? I think the gentleman does not reason from facts. If he will look round among the rich men of his acquaintance, I fancy he will find them as honest and virtuous as any class in the community. He says the rich are unfeeling; I believe they are less so than the poor; for it seems to me probable that those who are most occupied by their own cares and distresses have the least sympathy with the distresses of others. The sympathy of the poor is generally selfish, that of the rich a more disinterested[5] emotion.

The gentleman further observes, that ambition is peculiarly the vice of the wealthy. But have not all classes of men their objects of ambition? Will not a poor man contend for a constable's staff with as much assiduity and eagerness as a man of rank will aspire to the chief magistracy? The great offices in the state are beyond the view of the poor and ignorant man: he will therefore contemplate an humbler office as the highest alluring object of ambition; he will look with equal envy on a successful competitor, and will equally sacrifice to the attainment of his wishes the duty he owes to his friends or to the public. But, says the gentleman, the rich will be always brought forward; they will

[1] Melancton Smith.

[2] Spoken pompously against pompous speech.

[3] Prone to excess, especially in drink.

[4] Turtle was considered a delicacy of the rich.

[5] Concerned for the well-being of others.

exclusively enjoy the suffrages of the people. For my own part, I believe that, if two men of equal abilities set out together in life, one rich, the other of small fortune, the latter will generally take the lead in your government. The rich are ever objects of envy; and this, more or less, operates as a bar to their advancement. What is the fact? Let us look around us: I might mention gentlemen in office who have not been advanced for their wealth; I might instance, in particular, the honorable gentleman who presides over this state,[6] who was not promoted to the chief magistracy[7] for his riches, but his virtue.

. . . We are told that, in every country, there is a natural aristocracy, and that this aristocracy consists of the rich and the great—nay, the gentleman goes further, and ranks in this class of men the wise, the learned, and those eminent for their talents or great virtues. Does a man possess the confidence of his fellow-citizens for having done them important services? He is an aristocrat. Has he great integrity? Such a man will be greatly trusted: he is an aristocrat. Indeed, to determine that one is an aristocrat, we need only be assured he is a man of merit. But I hope we have many such. I hope, sir, we are all aristocrats. So sensible am I of that gentleman's[8] talents, integrity, and virtue, that we might at once hail him the first of the nobles, the very prince of the Senate. But whom, in the name of common sense, will we have to represent us? Not the rich, for they are sheer aristocrats. Not the learned, the wise, the virtuous, for they are all aristocrats. Whom then? Why, those who are not virtuous; those who are not wise; those who are not learned: these are the men to whom alone we can trust our liberties. He says further, we ought not to choose these aristocrats, because the people will not have confidence in them; that is, the people will not have confidence in those who best deserve and most possess their confidence. He would have his government composed of other classes of men: where will we find them? Why, he must go out into the highways, and pick up the rogue and the robber; he must go to the hedges and ditches, and bring in the poor, the blind, and the lame. As the gentleman has thus settled the definition of aristocracy, I trust that no man will think it a term of reproach; for who among us would not be wise? Who would not be virtuous? Who would not be above want? How, again, would he have us to guard against aristocracy? Clearly by doubling the representation, and sending twelve aristocrats instead of six. The truth is, in these republican governments, we know no such ideal distinctions. We are all equally aristocrats. Offices, emoluments,[9] honors, are open to all.

[6] Governor George Clinton, chair of the ratification convention.

[7] Governorship.

[8] Smith's.

[9] The profits of office.

5 *Melancton Smith*, June 23, 1788

The gentleman[1] wishes me to describe what I meant by representing the feelings of the people. If I recollect right, I said the representative ought to understand and govern his conduct by the true interest of the people. I believe I stated this idea precisely. When he attempts to explain my ideas, he explains them away to nothing; and, instead of answering, he distorts, and then sports with them. But he may rest assured that, in the present spirit of the Convention, to irritate is not the way to conciliate. The gentleman, by the false gloss[2] he has given to my argument, makes me an enemy to the rich: this is not true. All I said was, that mankind were influenced, in a great degree, by interests and prejudices; that men, in different ranks of life, were exposed to different temptations, and that ambition was more peculiarly the passion of the rich and great. The gentleman supposes the poor have less sympathy with the sufferings of their fellow-creatures, for that those who feel most distress themselves, have the least regard to the misfortunes of others. Whether this be reasoning or declamation, let all who hear us determine. I observed, that the rich were more exposed to those temptations which rank and power hold out to view; that they were more luxurious and intemperate, because they had more fully the means of enjoyment; that they were more ambitious, because more in the hope of success. The gentleman says my principle is not true, for that a poor man will be as ambitious to be a constable as a rich man to be a governor; but he will not injure his country so much by the party he creates to support his ambition.

The next object of the gentleman's ridicule is my idea of an aristocracy; and, indeed, he has done me the honor to rank me in the order. If, then, I am an aristocrat, and yet publicly caution my countrymen against the encroachments of the aristocrats, they will surely consider me as one of their most disinterested friends.

[1] Robert R. Livingston.
[2] Explanation.

THE CONSTITUTION'S EFFECT ON THE STATES

Another topic of debate at the New York ratification convention was the effect the Constitution would have on the powers of the state governments. The Federalists believed the Constitution would elevate the federal government above the state governments, allowing it to operate independently in such realms as international relations, interstate commerce, and taxation. Antifederalists balked at reducing the influence of the state governments within the federal union, because they believed those governments were more democratic and less prone to corruption than the federal one proposed by the Constitution.

6 *Melancton Smith,* June 27, 1788

Sir, I contemplate the abolition of the state constitutions as an event fatal to the liberties of America. These liberties will not be violently wrested from the people; they will be undermined and gradually consumed. On subjects of the kind we cannot be too critical. The investigation is difficult, because we have no examples to serve as guides. The world has never seen such a government over such a country. If we consult authorities in this matter, they will declare the impracticability of governing a free people on such an extensive plan. In a country where a portion of the people live more than twelve hundred miles from the centre, I think that one body cannot possibly legislate for the whole. Can the legislature frame a system of taxation that will operate with uniform advantages? Can they carry any system into execution? Will it not give occasion for an innumerable swarm of officers, to infest our country and consume our substance? People will be subject to impositions[1] which they cannot support, and of which their complaints can never reach the government.

Another idea is in my mind, which I think conclusive against a simple government for the United States. It is not possible to collect a set of representatives who are acquainted with all parts of the continent. Can you find men in Georgia who are acquainted with the situation of New Hampshire, who know what taxes will best suit the inhabitants, and how much they are able to bear? Can the best men make laws for the people of whom they are entirely ignorant? Sir, we have no reason to hold our state governments in contempt, or to suppose them incapable of acting wisely. I believe they have operated more beneficially than most people expected, who considered that those governments were erected in a time of war and confusion, when they were very liable to errors in their structure. It will be a matter of astonishment to all unprejudiced men hereafter, who shall reflect upon our situation, to observe to what a great degree good government has prevailed. It is true some bad laws have been passed in most of the states; but they arose from the difficulty of the times rather than from any want of honesty or wisdom. Perhaps there never was a government which, in the course of ten years, did not do something to be repented of. . . . We all agree that a general government is necessary; but it ought not to go so far as to destroy the authority of the members. We shall be unwise to make a new experiment, in so important a matter, without some known and sure grounds to go upon. The state constitutions should be the guardians of our domestic rights and interests, and should be both the support and the check of the federal government.

[1] Taxes.

7 *Alexander Hamilton,* June 28, 1788

The gentleman[1] has made a declaration of his wishes for a strong federal government. I hope this is the wish of all. But why has he not given us his ideas of the nature of this government, which is the object of his wishes? Why does he not describe it? We have proposed a system which we supposed would answer the purposes of strength and safety.—The gentleman objects to it, without pointing out the grounds, on which his objections are founded, or shewing[2] us a better form. These general surmises never lead to the discovery of truth. It is to be desired, that the gentleman would explain particularly the errors in this system, and furnish us with their proper remedies. . . .

The gentleman says, that the operation of the taxes[3] will exclude the states, on this ground, that the demands of the community are always equal to its resources; that Congress will find a use for all the money the people can pay. This observation, if designed as a general rule, is in every view unjust. Does he suppose the general government will want all the money the people can furnish; and also that the state governments will want all the money the people can furnish? What contradiction is this? But if this maxim be true, how does the wealth of a country ever increase? How are the people enabled to accumulate fortunes? Do the burthens regularly augment,[4] as its inhabitants grow prosperous and happy? But if indeed all the resources are required for the protection of the people, it follows that the protecting power should have access to them. The only difficulty lies in the want of resources: If they are adequate, the operation will be easy. If they are not, taxation must be restrained: Will this be the fate of the state tax alone? Certainly not. The people will say no. What will be the conduct of the national rulers? The consideration will not be, that our imposing the tax will destroy the states, for this cannot be effected; but that it will distress the people, whom we represent, and whose protectors we are. It is unjust to suppose that they[5] will be altogether destitute of virtue and prudence. It is unfair to presume that the representatives of the people will be disposed to tyrannize, in one government more than in another. If we are convinced that the national legislature will pursue a system of measures unfavorable to the interests of the people, we ought to have no general government at all. But if we unite, it will be for the accomplishment of great purposes. . . .

I shall conclude with a few remarks by way of apology. I am apprehensive, sir, that, in the warmth of my feelings, I may have uttered expressions which were too vehement. If such has been my language, it was from the habit of using strong phrases to express my ideas; and, above all, from the interesting nature of the subject. I have ever condemned those cold, unfeeling hearts, which no

[1] Melancton Smith.

[2] Showing.

[3] Taxes levied by the new federal government.

[4] Burdens regularly increase.

[5] Federal officeholders.

object can animate. I condemn those indifferent mortals, who either never form opinions, or never make them known. I confess, sir, that on no subject has my breast been filled with stronger emotions, or more anxious concern. If any thing has escaped me, which may be construed into a personal reflection, I beg the gentlemen,[6] once for all, to be assured that I have no design to wound the feelings of any one who is opposed to me.

While I am making these observations, I cannot but take notice of some expressions which have fallen in the course of the debate. It has been said that ingenious men may say ingenious things, and that those who are interested in raising the few upon the ruins of the many, may give to every cause an appearance of justice. I know not whether these insinuations allude to the characters of any who are present, or to any of the reasonings in this house. I presume that the gentlemen would not ungenerously impute such motives to those who differ from themselves. I declare I know not any set of men who are to derive peculiar advantages from this Constitution. Were any permanent honors or emoluments[7] to be secured to the families of those who have been active in this cause, there might be some grounds for suspicion. But what reasonable man, for the precarious enjoyment of rank and power, would establish a system which would reduce his nearest friends and his posterity to slavery and ruin? If the gentlemen reckon me amongst the obnoxious few, if they imagine that I contemplate with ambitious eye the immediate honors of the government, yet let them consider that I have my friends, my family; my children, to whom ties of nature and of habit have attached me. If, to-day, I am among the favored few, my children, tomorrow, may be among the oppressed; these dear pledges of my patriotism may, at a future day, be suffering the severe distresses to which my ambition has reduced them. The changes in the human condition are uncertain and frequent: many, on whom Fortune has bestowed her favors, may trace their family to a more unprosperous station; and many, who are now in obscurity, may look back upon the affluence and exalted rank of their ancestors. But I will no longer trespass on your indulgence. I have troubled the committee with these observations, to show that it cannot be the wish of any reasonable man to establish a government unfriendly to the liberties of the people. Gentlemen ought not, then, to presume that the advocates of this Constitution are influenced by ambitious views. The suspicion, sir, is unjust; the charge is uncharitable.

[6] His fellow convention delegates.

[7] Advantages.