

FEDERALIST THINKING

from Notes Taken at the Philadelphia Convention, 1787:

From: *Madison's Notes on Debates in the Federal Convention*, Introduction by Adrienne Rich:

...the grueling work of the delegates to the Convention had been carried on under strict rules of secrecy. One of the delegates was twitted in a friendly letter: 'Full of Disputation and noisy as the Wind, it is said, that you are afraid of the very Windows, and have a Man planted under them to prevent the Secrets and Doings from flying out.'

Hardly a year passed from the close of the Convention to the day of Madison's death that he was not urged to publish the notes he had taken as semi-official reporter. His unvarying response was the statement that he would not release them for publication until all the framers had died. -- Adrienne Rich

Quotes From *Madison's Notes on Debates in the Federal Convention*:

Tuesday, May 29, 1787

Additional Rules: That no copy be taken of an entry on the journal during the sitting of the House without leave of the House. That members only be permitted to inspect the Journal. That nothing spoken in the House be printed, or otherwise published or communicated.

Thursday, May 31, 1787

Mr. RAND[OLPH] observed that the general object was to provide a cure for the evils under which the U. S. laboured; that in tracing these evils to their origin every man had found it in the turbulence and follies of democracy: that some check therefore was to be sought for agst. This tendency of our Governments: and that a good Senate seemed most likely to answer the purpose.

Saturday, June 2, 1787

Mr. DICKINSON. A limited Monarchy he considered as one of the best Governments in the world. It was not certain that the same blessings were derivable from any other form. It was certain that equal blessings had never yet been derived from any of the republican form. A limited Monarchy however was out of the question. The spirit of the times – the state of our affairs, forbade the experiment, if it were desirable.

Tuesday, June 12th, 1787

Mr. MADISON, observed that if the opinions of the people were to be our guide, it would be difficult to say what course we ought to take. No member of the convention could say what the opinions of his Constituents were at this time; much less could he say what they would think if possessed of the information & lights possessed by the members here; & still less what would be their way of thinking 6 or 12 months hence. We ought to consider what was right &

necessary in itself for the attainment of a proper Government. A plan adjusted to this idea will recommend itself ---The respectability of this convention will give weight to their recommendation of it. Experience will be constantly urging the adoption of it, and all the most enlightened & respectable citizens will be its advocates. Should we fall short of the necessary & proper point, this influential class of Citizens will be turned against the plan, and little support in opposition to them can be gained to it from the unreflecting multitude.

Mr. GERRY repeated his opinion that it was necessary to consider what the people would approve. This had been the policy of all Legislators. If the reasoning of Mr. Madison were just, and we supposed a limited monarchy the best form in itself, we ought to recommend it, tho' the genius of the people was decidedly adverse to it, and having no hereditary distinctions among us, we were destitute of the essential materials for such an innovation.

Quotes From "Notes of the Secret Debates of the Federal Convention of 1787, Taken by the Right Honorable Robert Yates, Chief Justice of the State of New York, and One of the Delegates from that State to the Said Convention":

Monday, June 19th, 1787

Mr. HAMILTON. I believe the British government forms the best model the world ever produced, and such has been its progress in the minds of the many, that this truth gradually gains ground...All communities divide themselves into the few and the many. The first are the rich and well born, the other the mass of the people. The voice of the people has been said to be the voice of God; and however generally this maxim has been quoted and believed, it is not true in fact. The people are turbulent and changing; they seldom judge or determine right. Give therefore to the first class a distinct, permanent share in the government. They will check the unsteadiness of the second, and as they cannot receive any advantage by a change, they therefore will ever maintain good government. Can a democratic assembly, who annually revolve in the mass of the people, be supposed steadily to pursue the public good? Nothing but a permanent body can check the imprudence of democracy. Their turbulent and uncontroled disposition requires checks...It is admitted that you cannot have a good executive upon a democratic plan. See the excellency of the British executive--He is placed above temptation--He can have no distinct interests from the public welfare. Nothing short of such an executive can be efficient. The weak side of a republican government is the danger of foreign influence. This is unavoidable, unless it is so constructed as to bring forward its first characters in its support. I am therefore for a general government, yet would wish to go the full length of republican principles.

Let one body of the legislature be constituted during good behavior or life.

Let one executive be appointed who dares execute his powers.

It may be asked, is this a republican system? It is strictly so, as long as they remain elective.

And let me observe, that an executive is less dangerous to the liberties of the people when in office during life, than for seven years.

It may be said this constitutes an elective monarchy! Pray what is a monarchy? May not the governors of the respective States be considered in that light? But by making the executive subject to impeachment, the term monarchy cannot apply...Let the electors be appointed in each of the States to elect the executive--[Here Mr. H. produced his plan, a copy whereof is hereunto annexed]--to consist of two branches--and I would give them the unlimited power of passing all laws without exception. The assembly to be elected for three years by the people in districts--the senate to be elected by electors to be chosen for that purpose by the people, and to remain in office during life. The executive to have the power of negating all laws--to make war or peace, with the advice of the senate--to make treaties with their advice, but to have the sole direction of all military operations, and to send ambassadors and appoint all military officers, and to pardon all offenders, treason excepted, unless by advice of the senate. On his death or removal, the president of the senate to officiate, with the same powers, until another is elected. Supreme judicial officers to be appointed by the executive and the senate. The legislature to appoint courts in each State, so as to make the State governments unnecessary to it.

All State laws to be absolutely void which contravene the general laws. An officer to be appointed in each State to have a negative on all State laws. All the militia and the appointment of officers to be under the national government.

I confess that this plan and that from Virginia are very remote from the idea of the people. Perhaps the Jersey plan is nearest their expectation. But the people are gradually ripening in their opinions of government--they begin to be tired of an excess of democracy--and what even is the Virginia plan, but pork still, with a little change of the sauce."

Tuesday, June 26th, 1787

Mr. MADISON. Democratic communities may be unsteady, and be led to action by the impulse of the moment. --Like individuals, they may be sensible of their own weakness, and may desire the counsels and checks of friends to guard them against the turbulency and weakness of unruly passions. Such are the various pursuits of this life, that in all civilized countries, the interest of a community will be divided. There will be debtors and creditors, and an unequal possession of property, and hence arises different views and different objects in government. This indeed is the ground-work of aristocracy; and we find it blended in every government, both ancient and modern. Even where titles have survived property, we discover the noble beggar haughty and assuming.

The man who is possessed of wealth, who lolls on his sofa, or rolls in his carriage, cannot judge of the wants or feelings of the day laborer. The government we mean to erect is intended to last for ages. The landed interest, at present, is prevalent; but in process of time, when we approximate to the states and kingdoms of Europe; when the number of landholders shall be comparatively small, through the various means of trade and manufactures, will not the landed interest be overbalanced in future elections, and unless wisely provided against, what will become of your government? In England, at this day, if elections were open to all classes of people, the property of the landed proprietors would be insecure. An agrarian law would soon take place. If these observations be just, our government ought to secure the permanent interests of the country against innovation. Landholders ought to have a share in the

government, to support these invaluable interests, and to balance and check the other. They ought to be so constituted as to protect the minority of the opulent against the majority. The senate, therefore, ought to be this body; and to answer these purposes, they ought to have permanency and stability. Various have been the propositions; but my opinion is, the longer they continue in office, the better will these views be answered.

Mr. HAMILTON. This question has already been considered in several points of view. We are now forming a republican government. Real liberty is neither found in despotism or the extremes of democracy, but in moderate governments.

Those who mean to form a solid republican government, ought to proceed to the confines of another government. As long as offices are open to all men, and no constitutional rank is established, it is pure republicanism. But if we incline too much to democracy, we shall soon shoot into a monarchy. The difference of property is already great amongst us. Commerce and industry will still increase the disparity. Your government must meet this state of things, or combinations will in process of time, undermine your system.

Friday, June 29th, 1787

Mr. MADISON. The States, at present, are only great corporations, having the power of making by-laws, and these are effectual only if they are not contradictory to the general confederation. The States ought to be placed under the control of the general government—at least as much so as they formerly were under the king and British parliament.

Mr. C. PINKNEY. Great Britain drew its first rude institutions from the forests of Germany, and with it that of its nobility. These having originally in their hands the property of the State, the crown of Great Britain was obliged to yield to the claims of power which those large possessions enabled them to assert. The commons were then too contemptible to form part of the national councils. Many parliaments were held, without their being represented until in process of time, under the protection of the crown, and forming distinct communities, they obtained some weight in the British government. From such discordant materials brought casually together, those admirable checks and balances, now so much the boast of the British constitution, took their rise.--But will we be able to copy from this original? I do not suppose that in the confederation, there are one hundred gentlemen of sufficient fortunes to establish a nobility; and the equality of others as to rank would never admit of the distinctions of nobility. I lay it therefore down as a settled principle, that equality of condition is a leading axiom in our government. It may be said we must necessarily establish checks, lest one rank of people should usurp the rights of another. Commerce can never interfere with the government, nor give a complexion to its councils. If we have any distinctions they may be divided into three classes.

1. Professional men.
2. Commercial men.
3. The landed interest.

The latter is the governing power of America, and the other two must ever be dependent on them.