

## Elbridge Gerry to the General Court, New York, 18 October 1787

Gentlemen

I have the honor to inclose, pursuant to my Commission, the constitution proposed by the Fœderal Convention.<sup>1</sup>

To this system I gave my dissent, & shall submit my objections to the honorable Legislature

It was painful for me, on a subject of such national importance, to differ from the respectable Members who signed the constitution: but conceiving as I did, that the liberties of America were not secured by the system, it was my duty to oppose it— My principal objections to the plan, are that there is no adequate provision for a representation of the People—that they have no security for the right of election—that some of the powers of the Legislature are ambiguous, & others indefinite & dangerous—that the executive is blended with & will have an undue influence over the legislature—that the Judicial department will be oppressive—that treaties of the highest importance may be formed by the president with the advice of two thirds of a *quorum* of the Senate—& that the System is without the Security of a Bill of rights, these are objections which are not local, but apply equally to all the States—

As the Convention was called for “the *sole & express* purpose of revising the articles of confederation, & reporting to Congress & the several Legislatures such alterations & provisions as shall render the fœderal Constitution adequate to the exigencies of Government, & the preservation of the union,” I did not conceive that these powers extended to the formation of the plan proposed, but the Convention being of a different *opinion*, I acquiesced in *it*, being fully convinced that to preserve the union, an efficient Government was indispensibly necessary; & that it would be difficult to make proper amendments to the articles of confederation.

The Constitution proposed has few, if any *Fœderal* features, but is rather a system of *national* government: nevertheless, in many respects I think it has great merit, & by proper amendments, may be adapted to the “exigencies of Government” & preservation of Liberty.

The question on this plan involves others of the highest importance 1st Whether there shall be a dissolution of the *Fœderal* Government? 2dly Whether the several State Governments shall be so altered, as in effect to be dissolved? and 3dly Whether in lieu of the *Fœderal* & *state* Governments, the *national* constitution now proposed shall be substituted without amendment? never perhaps were a people called on to decide a question of greater magnitude—should the Citizens of America adopt the plan as it now stands, their liberties may be lost: or should they reject it altogether Anarchy may ensue, it is evident therefore that they should not be precipitate in their decisions; that the subject should be well understood, lest they should refuse to *support* the Government, after having *hastily* accepted it.

If those who are in favour of the Constitution, as well as those who are against it, should preserve moderation, their discussions may afford much information & finally direct to an happy issue.

It may be urged by some, that an *implicit* confidence should be placed in the Convention: but however respectable the members may be who signed the constitution, it must be admitted, that a free people are the proper Guardians of their rights & liberties—that the greatest men may err—& that their errors are sometimes, of the greatest magnitude.

Others may suppose, that the constitution may be safely adopted, because therein provision is made to *amend* it: but cannot *this object* be better attained before a ratification than after it? and should a *free* people, adopt a form of Government, under conviction that it wants amendment?

And some may conceive, that if the Plan is not accepted by the people they will not unite in another: but surely whilst they have the power to amend, they are not under the necessity of rejecting it.

I have been detained here longer than I expected, but shall leave this place in a day or two for Massachusetts, & on my arrival shall submit the reasons (if required by the Legislature) on which my objections are grounded

I shall only add, that as the Welfare of the union requires a better Constitution than the confederation, I shall think it my duty as a Citizen of Massachusetts to support that which shall be finally adopted, sincerely hoping it will secure the Liberty & happiness of America

I have the Honor to be Gentlemen with the highest respect for the honorable Legislature & yourselves, your most obedt & very hum servt E Gerry

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