

## **James Iredell, Speech in the Ratifying Convention, 31 July 1788**

Mr. IREDELL. Mr. Chairman, in my opinion, this is a very awful moment. On a right decision of this question may possibly depend the peace and happiness of our country for ages. Whatever be the decision of the house on this subject, it ought to be well weighed before it is given. We ought to view our situation in all its consequences, and determine with the Utmost caution and deliberation. It has been suggested, not only out of doors, but during the course of the debates, that, if we are out of the Union, it will be the fault of other states, and not ours. It is true that, by the Articles of Confederation, the consent of each state was necessary for any alteration. It is also true that the consent of nine states renders the Constitution binding on them. The unhappy consequences of that unfortunate article in this Confederation produced the necessity of this article in the Constitution. Every body knows that, through the peculiar obstinacy of Rhode Island, many great advantages were lost. Notwithstanding her weakness, she uniformly opposed every regulation for the benefit and honor of the Union at large. The other states were driven to the necessity of providing for their own security and welfare, without waiting for the consent of that little state. The deputies from twelve states unanimously concurred in opinion that the happiness of all America ought not to be sacrificed to the caprice and obstinacy of so inconsiderable a part.

It will often happen, in the course of human affairs, that the policy which is proper on common occasions fails, and that laws which do very well in the regular administration of a government cannot stand when every thing is going into confusion. In such a case, the safety of the community must supersede every other consideration, and every subsisting regulation which interferes with that must be departed from, rather than that the people should be ruined. The Convention, therefore, with a degree of manliness which I admire, dispensed with a unanimous consent for the present change, and at the same time provided a permanent remedy for this evil, not barely by dispensing with the consent of one member in future alterations, but by making the consent of nine sufficient for the whole, if the rest. did not agree, considering that the consent of so large a number ought in reason to govern the whole; and the proportion was taken from the old Confederation, which in the most important cases required the consent of nine, and in every thing, except the alteration of the Constitution, made that number sufficient. It has been objected, that the adoption of this government would be improper, because it would interfere with the oath of allegiance to the state. No oath of allegiance requires us to sacrifice the safety of our country. When the British government attempted to establish a tyranny in America, the people did not think their oath of allegiance bound them to submit to it. I had taken that oath several times myself, but had no scruple to oppose their tyrannical measures. The great principle is, The safety of the people is the supreme law. Government was originally instituted for their welfare, and whatever may be its form, this ought to be its object. This is the fundamental principle on which our government is founded, In other countries, they suppose the existence of and infer that, if the sovereign violates his part of it, the people have a right to resist. If he does not, the government must remain unchanged, unless the sovereign consents to an alteration. In America, our governments have been clearly created by the people themselves. The same authority that created can destroy; and the people may undoubtedly change the government, not because it is ill exercised, but because they conceive another form

will be more conducive to their welfare. I have stated the reasons for departing from the rigid article in the Confederation requiring a unanimous consent. We were compelled to do this, or see our country ruined. In the manner of the dispensation, the Convention, however, appear to have acted with great prudence, in copying the example of the Confederation in all other particulars of the greatest moment, by authorizing nine states to bind the whole. It is suggested, indeed, that, though ten states have adopted this new Constitution, yet, as they had no right to dissolve the old Articles of Confederation, these still subsist, and the old Union remains, of which we are a part. The truth of that suggestion may well be doubted, on this ground: when the principles of a constitution are violated, the constitution itself is dissolved, or may be dissolved at the pleasure of the parties to it. Now, according to the Articles of Confederation, Congress had authority to demand money, in a certain proportion, from the respective states, to answer the exigencies of the Union. Whatever requisitions they made for that purpose were constitutionally binding on the states. The states had no discretion except as to the mode of raising the money. Perhaps every state has committed repeated violations of the demands of Congress. I do not believe it was from any dishonorable intention in many of the states; but whatever was the cause, the fact is, such violations were committed. The consequence is that, upon the principle I have mentioned, (and in which I believe all writers agree,) the Articles of Confederation are no longer binding. It is alleged that, by making the consent of nine sufficient to form a government for themselves, the first nine may exclude the other four. This is a very extraordinary allegation. When the new Constitution was proposed, it was proposed to the thirteen states in the Union. It was desired that all should agree, if possible; but if that could not be obtained, they took care that nine states might at least save themselves from destruction. Each, undoubtedly, had a right on the first proposition, because it was proposed to them all. The only doubt can be, whether they had a right afterwards. In my opinion, when any state has once rejected the Constitution, it cannot claim to come in afterwards as a matter of right.

If it does not, in plain terms, reject, but refuses to accede for the present, I think the other states may regard this as an absolute rejection, and refuse to admit us afterwards but at their pleasure, and on what terms they please. Gentlemen wish for amendments. On this subject, though we may differ as to the necessity of amendments, I believe none will deny the propriety of proposing some, if only for the purpose of giving more general satisfaction. The question, then, is, whether it is most prudent for us to come into the Union immediately, and propose amendments, (as has been done in the other states,) or to propose amendments, and be out of the Union till all these be agreed to by the other states. The consequences of either resolution I beg leave to state. By adopting, we shall be in the Union without sister states, which is the only foundation of our prosperity and safety. We shall avoid the danger of a separation, a danger of which the latent effects are unknown; So far am I convinced of the necessity of the Union, that I would give up many things against my own opinion to obtain it. If we sacrificed it by a rejection of the Constitution, or a refusal to adopt, (which amounts, I think, nearly to the same thing,) the very circumstance of disunion may occasion animosity between us and the inhabitants of the other states, which may be the means of severing us forever.

We shall lose the benefit which must accrue to the other states from the new government. Their trade will flourish; goods will sell cheap; their commodities will rise in value; and their distresses, occasioned by the war, will gradually be removed. Ours, for want of these advantages, will continue. Another very material consequence will result from it: we shall lose our share of the imposts in all the states, which, under this Constitution, is to go into the federal treasury. It is the particular local interest of this state to adopt, on this account, more, perhaps, than that of any other member of the Union. At present, all these imposts go into the treasury of each state, and we well know our own are of little consequence, compared to those of the other states in general. The gentleman from Halifax (Mr. Jones) has offered an expedient to prevent the loss of our share of the impost. In my opinion, that expedient will not answer the purpose. The amount of duties on goods imported into this state is very little; and if these resolutions are agreed to, it will be less. I ask any gentleman whether the United States would receive, from the duties of this state, so much as would be our proportion, under the Constitution, of the duties on goods imported in all the states. Our duties would be no manner of compensation for such proportion. What would be the language of Congress on our holding forth such an offer? "If you are willing to enjoy the benefits of the Union, you must be subject to all the laws of it. We will make no partial agreement with you." This would probably be their language. I have no doubt all America would wish North Carolina to be a member of the Union. It is of importance to them. But we ought to consider whether ten states can do longer without one, or one without ten. On a competition, which will give way? The adopting states will say, "Other states had objections as well as you; but rather than separate, they agreed to come into the Union, trusting to the justice of the other states for the adoption of proper amendments afterwards. One most respectable state, Virginia, has pursued this measure, though apparently averse to the system as it now stands. But you have laid down the condition on which alone you will come into the Union. We must accede to your particular propositions, or be disunited from you altogether. Is it fit that North Carolina shall dictate to the whole Union? We may be convinced by your reason, but our conduct will certainly not be altered by your resistance."

I beg leave to say, if Virginia thought it right to adopt and propose amendments, under the circumstances of the Constitution at that time, surely it is much more so for us in our present situation. That state, as was justly observed, is a most powerful and respectable one. Had she held out, it would have been a subject of most serious alarm. But she thought the risk of losing the union altogether too dangerous to be incurred. She did not then know of the ratification of New Hampshire. If she thought it necessary to adopt, when only eight states had ratified, is it not much more necessary for us after the ratification by ten? I do not say that we ought servilely to imitate any example. But I may say, that the examples of wise men and intelligent nations are worthy of respect; and that, in general, we may be much safer in following than in departing from them. In my opinion, as many of the amendments proposed are similar to amendments recommended not only by Virginia, but by other states, there is great probability of their being obtained. All the amendments proposed, undoubtedly, will not be, nor I think ought to be; but such as tend to secure more effectually the liberties of the people against an abuse of the powers granted, in all human probability, will; for in such amendments all the states are equally interested. The probability of such amendments being obtained is extremely great; for though three states ratified the Constitution unanimously, there has been a

considerable opposition in the other states. In New Hampshire, the majority was small. In Massachusetts, there was a strong opposition. In Connecticut, the opposition was about one third: so it was in Pennsylvania. In Maryland, the minority was small, but very respectable. In Virginia, they had little more than a bare majority. There was a powerful minority in South Carolina. Can any man pretend to say that, thus circumstanced, the states would disapprove of amendments calculated to give satisfaction to the people at large? There is a very great probability, if not an absolute certainty, that amendments will be obtained. The interest of North Carolina would add greatly to the scale in their favor; if we do not accede, we may injure the states who wish for amendments, by withdrawing ourselves from their assistance. We are not, at any event, in a condition to stand alone. God forbid we should be a moment separated from our sister states! If we are, we shall be in great danger of a separation forever. I trust every gentleman will pause before he contributes to so awful an event.

We have been happy in our connection with the other states. Our freedom, independence, everything dear to us? has been derived from that union we are now going rashly to dissolve. If we are to be separated, let every gentleman well weigh the ground he stands on before he votes for the separation. Let him not have to reproach himself, hereafter, that he voted without due consideration for a measure that proved the destruction of his country.

Mr. Iredell then observed that there were insinuations thrown out, against those who favored the Constitution, that they had a view of getting offices and emoluments. He said, he hoped no man thought him so wicked as to sacrifice the interest of his country to private views. He declared, in the most solemn manner, the insinuation was unjust and ill-founded as to himself. He believed it was so with respect to the rest. The interest and happiness of his country solely governed him on that occasion. He could appeal to some members in the house, and particularly to those who knew him in, the lower part of the country, that his disposition had never been pecuniary, and that he had never aspired to offices. At the beginning of the revolution, he said, he held one of the best offices in the state under the crown — an office in which he depended for his support. His relations were in Great Britain; yet, though thus circumstanced, so far was he from being influenced by pecuniary motives, or emoluments of office, that, as soon as his situation would admit of it, he did not hesitate a moment to join the opposition to Great Britain; nor would the richest office of America have tempted him to adhere to that unjust cause of the British government. He apologized for taking up the time of the committee; but he observed, that reflections of that kind were considered as having applied, unless they were taken notice of. He attributed no unworthy motives to any gentleman in the house. He believed most of them wished to pursue the interest of their country according to their own ideas of it. He hoped other gentlemen would be equally liberal.

Jonathan Elliot, ed., *The Debates in the Several State Conventions, on the Adoption of the Federal Constitution*, Vol. 4, Philadelphia: J.B. Lippincott and Company, pp.228-231.