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Edmund Randolph Speech: Virginia Convention 6 June 1788

I am a child of the revolution. My country very early indeed took me under its protection, at a time when I most wanted it; and by a succession of favors and honors, prevented even my most ardent wishes. I feel the highest gratitude and attachment to my country—her felicity is the most fervent prayer of my heart. Conscious of having exerted my faculties to the utmost in her behalf; if I have not succeeded in securing the esteem of my countrymen, I shall reap abundant consolation from the rectitude of my intentions: Honors, when compared to the satisfaction accruing from a conscious independence and rectitude of conduct, are no equivalent. The unwearied study of my life, shall be to promote her happiness. As a citizen, ambition and popularity are no objects with me. I expect in the course of a year to retire to that private station which I most sincerely and cordially prefer to all others.¹ The security of public justice, Sir, is what I most fervently wish—as I consider that object to be the primary step to the attainment of public happiness. I can declare to the whole world, that in the part I take in this very important question, I am actuated by a regard for what I conceive, to be our true interest: I can also with equal sincerity, declare that I would join heart and hand in rejecting this system, did I conceive it would promote our happiness: But having a strong conviction on my mind, at this time, that by a disunion we shall throw away all those blessings we have so earnestly fought for; and that a rejection of the Constitution will operate disunion—pardon me if I discharge the obligation I owe to my country by voting for its adoption. We are told that the report of dangers is false. The cry of peace, Sir, is false: Say peace when there is peace: It is but a sudden calm. The tempest growls over you—look round—wheresoever you look, you see danger. When there are so many witnesses in many parts of America, that justice is suffocated, shall peace and happiness still be said to reign? Candour, Sir, requires an undisguised representation of our situation.—Candour, Sir, demands a faithful exposition of facts. Many citizens have found justice strangled and trampled under foot, through the course of jurisprudence in this country. Are those who have debts due to them satisfied with your Government? Are not creditors wearied with the tedious procrastination of your legal process? a process obscured by Legislative mists. Cast your eyes to your seaports, see how commerce languishes: This country, so blessed by nature with every advantage that can render commerce profitable, through defective legislation, is deprived of all the benefits and emoluments she might otherwise reap from it. We hear many complaints on the subject of located lands—a variety of competitors claiming the same lands under Legislative acts—public faith prostrated, and private confidence destroyed. I ask you if your laws are revered? In every

well regulated community the laws command respect. Are yours entitled to reverence? We not only see violations of the Constitution, but of national principles in repeated instances. How is the fact? The history of the violations of the Constitution extend(s) from the year 1776, to this present time—violations made by formal acts of the Legislature: Every thing has been drawn within the Legislative vortex. There is one example of this violation in Virginia, of a most striking and shocking nature—an example, so horrid, that if I conceived my country would passively permit a repetition of it, dear as it is to me, I would seek means of expatriating myself from it. A man who was then a citizen was deprived of his life, thus—from a mere reliance on general reports, a Gentleman in the House of Delegates informed the House, that a certain man (Josiah Phillips) had committed several crimes, and was running at large perpetrating other crimes, he therefore moved for leave to attaint him; he obtained that leave instantly; no sooner did he obtain it, than he drew from his pocket a bill ready written for that effect; it was read three times in one day, and carried to the Senate: I will not say that it passed the same day through the Senate: But he was attainted very speedily and precipitately, without any proof better than vague reports! Without being confronted with his accusers and witnesses; without the privilege of calling for evidence in his behalf, he was sentenced to death, and was afterwards actually executed.² Was this arbitrary deprivation of life, the dearest gift of God to man, consistent with the genius of a Republican Government? Is this compatible with the spirit of freedom? This, Sir, has made the deepest impression in my heart, and I cannot contemplate it without horror. There are still a multiplicity of complaints of the debility of the laws. Justice in many instances is so unattainable that commerce may in fact be said to be stopped entirely. There is no peace, Sir in this land: Can peace exist with injustice, licentiousness, insecurity, and oppression? These considerations, independent of many others which I have not yet enumerated, would be a sufficient reason for the adoption of this Constitution, because it secures the liberty of the citizen, his person, and property, and will invigorate and restore commerce and industry. An additional reason to induce us to adopt it is, that excessive licentiousness which has resulted from the relaxation of our laws, and which will be checked by this Government. Let us judge from the fate of more antient nations; licentiousness has produced tyranny among many of them: It has contributed as much (if not more) as any other cause whatsoever, to the loss of their liberties. I have respect for the integrity of our Legislators—I believe them to be virtuous: But as long as the defects of the Constitution exist, so long will laws be imperfect. The Honorable Gentleman [Patrick Henry] went on further and said that the accession of eight States is not a reason for our adoption—many other things have been alledged out of order—instead of discussing the system regularly, a variety of points are promiscuously debated in order to make temporary impressions on the members.—Sir, were I convinced of the validity of their arguments, I would join them heart and hand. Were I convinced that the accession of eight States did not render our accession also necessary to preserve the Union, I would not accede to it till it should be previously amended: But, Sir, I am convinced that the Union will be lost by our rejection.—Massachusetts has adopted it; she has recommended subsequent amendments; her influence must be very considerable to obtain them: I trust my countrymen have sufficient wisdom and virtue to entitle them to equal respect. Is it urged that being *wiser* we ought to prescribe amendments to the other States? I have considered this subject deliberately; wearied myself in endeavoring to find a possibility of preserving the Union, without our unconditional ratification, but, Sir, in vain; I find no other means.

I ask myself a variety of questions applicable to the adopting States, and I conclude, will they repent (of) what they have done? Will they acknowledge themselves in an error? Or, will they recede to gratify Virginia? My prediction is, that they will not. Shall we stand by ourselves, and be severed from the Union if amendments cannot be had? I have every reason for determining within myself, that our rejection must dissolve the Union; and that that dissolution will destroy our political happiness. The Honorable Gentleman [Patrick Henry] was pleased to draw out several other arguments out of order:—That this Government would destroy the State Governments, the trial by jury, &c. &c. and concluded by an illustration of his opinion, by a reference to the confederacy of the Swiss. Let us argue with unprejudiced minds: They say that the trial by jury is gone—Is this so? Although I have declared my determination to give my vote for it, yet I shall freely censure those parts which appear to me reprehensible. The trial by jury in criminal cases is secured—In civil cases it is not so expressly secured, as I could wish it; but it does not follow, that Congress has the power of taking away this privilege, which is secured by the Constitution of each State, and not given away by this Constitution—I have no fear on this subject—Congress must regulate it so as to suit every State. I will risk my property on the certainty, that they will institute the trial by jury in such manner as shall accommodate the conveniencies of the inhabitants in every State: The difficulty of ascertaining this accommodation, was the principal cause of its not being provided for. It will be the interest of the individuals composing Congress to put it on this convenient footing. Shall we not choose men respectable for their good qualities? Or can we suppose that men tainted with the worst vices will get into Congress? I beg leave to differ from the Honorable Gentleman, in another point. He dreads that great inconveniences will ensue from the Federal Court: That our citizens will be harrassed by being carried thither. I cannot think that this power of the Federal Judiciary will necessarily be abused: The inconvenience here suggested being of a general nature, affecting most of the States, will, by general consent of the States, be removed; and, I trust, such regulations shall be made in this case, as will accommodate the people in every State. The Honorable Gentleman instanced the Swiss cantons, as an example, to shew us the possibility, if not expediency, of being in amicable alliance with the other States, without adopting this system. Sir, references to history will be fatal in political reasons, unless well guarded. Our mental ability is often too contracted, and powers of investigation so limitted, that sometimes we adduce as an example in our favor, what in fact militates against us. Examine the situation of that country comparatively to us: The extent and situation of that country is totally different from ours: Their country is surrounded by powerful, ambitious, and reciprocally jealous nations: Their territory small and the soil not very fertile. The peculiarity, Sir, of their situation, has kept them together, and not that system of alliance, to which the Gentleman seems to attribute the durability, and felicity of their connection. (Here his Excellency quotes some passages from *Stanyard*³ illustrating his argument, and largely commented upon it. The effect of which was, that the narrow confines of that country rendered it very possible for a system of confederacy to accommodate those cantons, that would not suit the United States: That it was the fear of the ambitious and warlike nations that surrounded them, and the reciprocal jealousy of the other European powers that rendered their Union so durable; and that notwithstanding these circumstances, and their being a hardy race of people, yet such was the injudicious construction of their confederacy, that very considerable broils interrupted their harmony sometimes.)—His Excellency then continued—I have produced this example to

shew, that we ought not to be amused with historical references, which have no kind of analogy to the points under our consideration: We ought to confine ourselves to those points solely, which have an immediate and strict similitude, to the subject of our discussion. The reference made by the Honorable Gentleman [Patrick Henry] over the way, is extremely inapplicable to us. Are the Swiss cantons circumstanced as we are? Are we surrounded by formidable nations? Or, are we situated in any manner like them? We are not, Sir. Then it naturally results that no such friendly intercourse as he flattered himself with, could take place, in case of a dissolution of our Union: We are remotely situated from powerful nations, the dread of whose attack might impel us to unite firmly with one another; nor are we situated in an inaccessible strong position: We have to fear much from one another: We must soon feel the fatal effects of an imperfect system of Union. The Honorable Gentleman [Patrick Henry] attacks the Constitution as he thinks it contrary to our Bill of Rights. Do we not appeal to the people by whose authority all Government is made? That Bill of Rights is of no validity, because, I conceive, it is not formed on due authority. It is not a part of our Constitution: It has never secured us against any danger: It has been repeatedly disregarded and violated. But we must not discard the Confederation, for the remembrance of its past services. I am attached to old servants. I have regard and tenderness for this old servant: But when reason tells us, that it can no longer be retained without throwing away all it has gained us; and running the risk of loosing every thing dear to us, must we still continue our attachment? Reason and my duty tell me not. Other Gentlemen may think otherwise. But, Sir, is it not possible that men may differ in sentiments, and still be honest? We have an inquisition within ourselves, that leads us not to offend so much against charity. The Gentleman [Patrick Henry] expresses a necessity of being suspicious of those who govern: I will agree with him in the necessity of political jealousy to a certain extent: But we ought to examine how far this political jealousy ought to be carried: I confess that a certain degree of it is highly necessary to the preservation of liberty; but it ought not to be extended to a degree which is degrading and humiliating to human nature; to a degree of restlessness, and active disquietude, sufficient to disturb a community, or preclude the possibility of political happiness and contentment. Confidence ought also to be equally limited. Wisdom shrinks from extremes, and fixes on a medium as her choice. Experience and history, the least fallible judges, teach us that in forming a government, the powers to be given must be commensurate to the object: A less degree will defeat the intention, and a greater will subject the people to the depravity of rulers, who, though they are but the agents of the people, pervert their powers to their own emolument, and ambitious views.—Mr. Chairman, I am sorry to be obliged to detain the House, but the relation of a variety of matters, renders it now unavoidable. I informed the House yesterday before rising, that I intended to shew the necessity of having a national Government in preference to the Confederation; also to shew the necessity of conceding the power of taxation, and distinguish between its objects; and I am the more happy, that I possess materials of information for that purpose: My intention then is, to satisfy the Gentlemen of this Committee, that a national Government is absolutely indispensable, and that a Confederacy is not eligible, in our present situation: The introductory step to this will be, to endeavor to convince the House of the necessity of the Union, and that the present Confederation is actually inadequate and unamendable. The extent of the country is objected by the Gentleman over the way [George Mason], as an insurmountable obstacle to the establishing a national Government in the United States. 'Tis a very

strange and inconsistent doctrine, to admit the necessity of the Union, and yet urge this last objection, which I think goes radically to the existence of the Union itself. If the extent of the country be a conclusive argument, against a national Government, 'tis equally so against an union with the other States. Instead of entering largely into a discussion of the nature and effect of the different kinds of Government, or into an enquiry into the particular extent of country, that may suit the genius of this or that Government—I ask this question—is this Government necessary for the safety of Virginia? Is the Union indispensable for our happiness? I confess it is imprudent for any nation to form alliance with another, whose situation and construction of Government are dissimilar with its own. It is impolitic and improper for men of opulence to join their interest with men of indigence and chance. But we are now enquiring particularly, whether Virginia, as contradistinguished from the other States, can exist without the Union. A hard question, perhaps after what has been said. I will venture, however, to say, she cannot. I shall not rest contented with asserting. I shall endeavor to prove. Look at the most powerful nations on earth. England and France have had recourse to this expedient: Those countries found it necessary to unite with their immediate neighbours, and this union has prevented the most lamentable mischiefs. What divine pre-eminence is Virginia possessed of above other States? Can Virginia send her navy and thunder to bid defiance to foreign nations? And can she exist without an Union with her neighbours, when the most potent nations have found such an union necessary, not only to their political felicity, but their national existence? Let us examine her ability: Although it be impossible to determine with accuracy, what degree of internal strength a nation ought to possess, to enable it to stand by itself; yet there are certain sure facts and circumstances which demonstrate that a particular nation cannot stand singly. I have spoken with freedom, and, I trust, I have done it with decency—but I must also speak with truth. If Virginia can exist without the Union, she must derive that ability from one or other of these sources, viz: From her natural situation, or because she has no reason to fear from other nations. What is her situation? She is not inaccessible: She is not a petty republic, like that of St. Marino, surrounded with rocks and mountains, with a soil not very fertile, nor worthy the envy of surrounding nations: Were this, Sir, her situation, she might like that petty State subsist, separated from all the world. On the contrary, she is very accessible: The large capacious Bay of Chesapeake, which is but too excellently adapted for the admission of enemies, renders her very vulnerable. I am informed, and I believe rightly, because I derive my information from those whose knowledge is most respectable, that Virginia is in a very unhappy position with respect to the access of foes by sea, though happily situated for commerce. This being her situation by sea, let us look at land: She has frontiers adjoining the States of Pennsylvania, Maryland and North-Carolina; two of those States have declared themselves members of the Union: Will she be inaccessible to the inhabitants of those States? Cast your eyes to the Western Country, that is inhabited by cruel savages, your natural enemies; besides their natural propensity to barbarity, they may be excited by the gold of foreign enemies to commit the most horrid ravages on your people. Our great encreasing population is one remedy to this evil; but being scattered thinly over so extensive a country, how difficult is it to collect their strength, or defend the country. This is one point of weakness.—I wish for the honor of my countrymen that it was the only one.—There is another circumstance which renders us more vulnerable: Are we not weakened by the population of those whom we hold in slavery? The day may come when they may make impression upon us. Gentlemen who have been long

accustomed to the contemplation of the subject, think there is a cause of alarm in this case: The number of those people, compared to that of the whites, is in an immense proportion: Their number amounts to 236,000—that of the whites only to 352,000. Will the American spirit, so much spoken of, repel an invading enemy, or enable you to obtain an advantageous peace? Manufactures and military stores may afford relief to a country exposed: Have we these at present? Attempts have been made to have these here. If we shall be separated from the Union, shall our chance of having these be greater? Or, will not the want of these be more deplorable? We shall be told of the exertions of Virginia under the Confederation—her achievements when she had no commerce: These, Sir, were necessary for her immediate safety, nor would these have availed without the aid of the other States: Those States then our friends, brothers, and supporters, will, if disunited from us, be our bitterest enemies. If then, Sir, Virginia from her situation is not inaccessible, or invulnerable, let us consider if she be protected by having no cause to fear from other nations: Has she no cause to fear? You will have cause to fear as a nation, if disunited; you will not only have this cause to fear from yourselves, from that species of population I before mentioned, and your once sister States, but from the arms of other nations: Have you no cause of fear from Spain, whose dominions border on your country? Every nation, every people, in our circumstances, have always had abundant cause to fear. Let us see the danger to be apprehended from France: Let us suppose Virginia separated from the other States: As part of the former confederated States, she will owe France a very considerable sum—France will be as magnanimous as ever.—France by the law of nations will have a right to demand the whole of her, or of the others. If France were to demand it, what would become of the property of America? Could she not destroy what little commerce we have? Could she not seize our ships, and carry havock and destruction before her on our shores? The most lamentable desolation would take place. We owe a debt to Spain also; do we expect indulgence from that quarter? That nation has a right to demand the debt due to it, and power to enforce that right. Will the Dutch be silent about the debt due to them? Is there any one pretension that any of these nations will be patient? The debts due to the British are also very considerable: These debts have been withheld contrary to treaty: If Great-Britain will demand the payment of these debts peremptorily, what will be the consequence? Can we pay them if demanded? Will no danger result from a refusal? Will the British nation suffer their subjects to be stripped of their property? Is not that nation amply able to do its subjects justice? Will the resentment of that powerful and supercilious nation sleep forever? If we become one sole nation, uniting with our sister States, our means of defence will be greater; the indulgence for the payment of those debts will be greater, and the danger of an attack less probable. Moreover, vast quantities of lands have been sold by citizens of this country to Europeans, and these lands cannot be found. Will this fraud be countenanced or endured? Among so many causes of danger, shall we be secure separated from our sister States? Weakness itself, Sir, will invite some attack upon your country. Contemplate our situation deliberately, and consult history: It will inform you that people in our circumstances have ever been attacked, and successfully: Open any page and you will there find our danger truly depicted. If such a people had any thing, was it not taken? The fate which will befall us, I fear, Sir, will be, that we shall be made a partition of. How will these our troubles be removed? Can we have any dependence on commerce? Can we make any computation on this subject? Where will our flag appear? So high is the spirit of commercial nations that they will spend five times the value of the object, to

exclude their rivals from a participation in commercial profits: They seldom regard any expences. If we should be divided from the rest of the States, upon what footing would our navigation in the Mississippi be? What would be the probable conduct of France and Spain? Every Gentleman may imagine in his own mind, the natural consequences. To these considerations, I might add many others of a similar nature. Were I to say that the boundary between us and North-Carolina is not yet settled; I should be told, that Virginia and that State go together. But what, Sir, will be the consequence of the dispute that may arise between us and Maryland on the subject of Potowmack river. It is thought Virginia has a right to an equal navigation with them in that river. If ever it should be decided on grounds of prior right, their charter will inevitably determine it in their favor. The country called the Northern neck, will probably be severed from Virginia: There is not a doubt, but the inhabitants of that part will annex themselves to Maryland, if Virginia refuse to accede to the Union. The recent example of those regulations lately made respecting that territory, will illustrate that probability. Virginia will also be in danger of a conflict with Pennsylvania, on the subject of boundaries. I know that some Gentlemen are thoroughly persuaded that we have a right to those disputed boundaries: If we have such a right, I know not where it is to be found. Are we not borderers on States that will be separated from us? Call to mind the history of every part of the world, where nations bordered on one another, and consider the consequences of our separation from the Union. Peruse those histories and you find such countries to have ever been almost a perpetual scene of bloodshed and slaughter. The inhabitants of one escaping from punishment into the other—protection given them—consequent pursuit—robbery, cruelty, and murder. A numerous standing army, that dangerous expedient, would be necessary, but not sufficient for the defence of such borders: Every Gentleman will amplify the scene in his own mind. If you wish to know the extent of such a scene, look at the history of England and Scotland before the Union, you will see their borderers continually committing depredations, and cruelties of the most calamitous and deplorable nature on one another. Mr. Chairman, were we struck off from the Union, and disputes of the back lands should be renewed, which are of the most alarming nature, and which must produce uncommon mischiefs, can you inform me how this great subject would be settled? Virginia has a large unsettled country: She has at last quieted it: But there are great doubts whether she has taken the best way to effect it. If she has not, disagreeable consequences may ensue.⁴ I have before hinted at some other causes of quarrel between the other States and us: Particularly the hatred that would be generated by commercial competitions. I will only add, on that subject, that controversies may arise concerning the fisheries, which must terminate in wars. Paper money may also be an additional source of disputes. Rhode-Island has been in one continued train of opposition to national duties and integrity: They have defrauded their creditors by their paper money. Other States have also had emission of paper money, to the ruin of credit and commerce. May not Virginia at a future day also recur to the same expedient? Has Virginia no affection for paper money, or disposition to violate contracts? I fear she is as fond of these measures as most other States in the Union. The inhabitants of the adjacent States would be affected by the depreciation of paper money, which would assuredly produce a dispute with those States. This danger is taken away by the present Constitution, as it provides, “That no State shall emit bills of credit.” Maryland has counteracted the policy of this State frequently, and may be meditating examples of this kind again. Before the revolution there was a contest about those back lands, in which even Government was a

party: It was put an end to by the war. Pennsylvania was ready to enter into a war with us for the disputed lands near the boundaries, and nothing but the superior prudence of the man who was at the head of affairs in Virginia, could have prevented it. I beg leave to remind you of the strength of Massachusetts, and other States to the north, and what would their conduct be to us if disunited from them: In case of a conflict between us and Maryland, or Pennsylvania, they would be aided by the whole strength of the more northern States; in short, by that of all the adopting States. For these reasons, I conceive, that if Virginia supposes she has no cause of apprehension, she will find herself in a fatal error. Suppose the American spirit in the fullest vigor in Virginia, what military preparations and exertions is she capable of making? The other States have upwards of 330,000 men capable of bearing arms: This will be a good army, or they can very easily raise a good army out of so great a number. Our militia amounts to 50,000; even stretching it to the improbable amount (urged by some) of 60,000.—In case of an attack, what defence can we make? Who are militia? Can we depend solely upon these? I will pay the last tribute of gratitude to the militia of my country: They performed some of the most gallant feats during the last war, and acted as nobly as men enured to other avocations could be expected to do: But, Sir, it is dangerous to look to them as our sole protectors. Did ever militia defend a country? Those of Pennsylvania were said to differ very little from regulars, yet these, Sir, were insufficient for the defence of that State. The militia of our country will be wanted for agriculture: On this noblest of arts depends the virtue and the very existence of a country: If it be neglected, every thing else must be in a state of ruin and decay. It must be neglected if those hands which ought to attend to it are occasionally called forth on military expeditions. Some also will be necessary for manufacturers, and those mechanic arts which are necessary for the aid of the farmer and planter.—If we had men, sufficient in number to defend ourselves, it could not avail without other requisites. We must have a navy, Sir, to be supported in time of peace as well as war, to guard our coasts and defend us against invasions. The impossibility of building and equipping a fleet in a short time constitutes the necessity of having a certain number of ships of war always ready in time of peace: The maintaining a navy will require money—and where, Sir, can we get money for this and other purposes? How shall we raise it? Review the enormity of the debts due by this country: The amount of the debt we owe to the Continent, for bills of credit, rating at forty for one, will amount to between 6 or 700,000 pounds.⁵ There is also due the Continent, the balance of requisitions due by us, and in addition to this proportion of the old continental debt, there are the foreign, domestic, state military, and loan-office debts; to which when you add the British debt, where is the possibility of finding money to raise an army or navy? Review then your real ability. Shall we recur to loans? Nothing can be more impolitic: They impoverish a nation: We, Sir, have nothing to repay them; nor, Sir, can we procure them. Our numbers are daily encreasing by emigration, but this, Sir, will not relieve us, when our credit is gone, and it is impossible to borrow money. If the imposts and duties in Virginia, even on the present footing, be very unproductive, and not equal to our necessity, what would it be if we were separated from the Union? From the first of September, to the first of June, the amount put into the treasury is only 59,000*l.* or a little more. But, Sir, if smuggling be introduced, in consequence of high duties, or otherwise, and the Potowmack should be lost, what hope is there of getting money from these? Shall we be asked, if the impost should be bettered by the Union? I answer that it will, Sir. Credit being restored, and confidence diffused in the country, merchants

and men of wealth will be induced to come among us, emigration will encrease, and commerce will flourish: The impost will therefore be more sure and productive. Under those circumstances, can you find men to defend you? If not men, where can you have a navy? It is an old observation, that he who commands the sea, will command the land; and it is justified by modern experience in war. The sea can only be commanded by commercial nations: The United States have every means by nature to enable them to distribute supplies mutually among one another, to supply other nations with many articles, and to carry for other nations: Our commerce would not be kindly received by foreigners, if transacted solely by ourselves; as it is the spirit of commercial nations to ingross as much as possible, the carrying trade: This makes it necessary to defend our commerce: But how shall we encompass this end? England has arisen to the greatest height, in modern times, by her navigation act, and other excellent regulations. The same means would produce the same effects. We have inland navigation. Our last exports did not exceed 1,000,000*l*. Our export trade is entirely in the hands of foreigners. We have no manufactures—depend for supplies on other nations, and so far are we from having any carrying trade, that as I have already said, our exports are in the hands of foreigners. Besides the profit that might be made by our natural materials, much greater gains would accrue from their being first wrought before they were exported. England has reaped immense profits by this, nay even by purchasing and working up those materials which their country did not afford: Her success in commerce is generally ascribed to her navigation act. Virginia would not, incumbered as she is, agree to have such an act. Thus for want of a navy, are we deprived of the multifarious advantages of our natural situation, nor is it possible, that, if the Union is dissolved, we ever should have a navy sufficient either for our defence, or the extension of our trade. I beg Gentlemen to consider these two things—our inability to raise and man a navy,—and the dreadful consequences of a dissolution of the Union. I will close this catalogue of the evils of the dissolution of the Union, by recalling to your mind what passed in the year 1781. Such was the situation of our affairs then, that the powers of a Dictator were given to the Commander in Chief to save us from destruction.⁶ This shews the situation of the country to have been such as made it ready to embrace an actual Dictator: At some future period, will not our distresses impel us to do what the Dutch have done, throw all power in the hands of a Stadtholder? How infinitely more wise and eligible than this desperate alternative, is an Union with our American brethren? I feel myself so abhorrent to any thing that will dissolve our Union, that I cannot prevail on myself to assent to it directly or indirectly. If the Union is to be dissolved, what step is to be taken?—Shall we form a partial Confederacy? Or, is it expected that we shall successfully apply to foreign alliance for military aid? This last measure, Sir, has ruined almost every nation that used it: So dreadful an example ought to be most cautiously avoided; for seldom has a nation recurred to the expedient of foreign succour, without being ultimately crushed by that succour. We may lose our liberty and independence by this injudicious scheme of policy: Admitting it to be a scheme replete with safety, what nation shall we solicit?—France? She will disdain a connection with a people in our predicament. I would trust every thing to the magnanimity of that nation—but she would despise a people who had, like us, so imprudently separated from their brethren; and, Sir, were she to accede to our proposal, with what facility could she become mistress of our country? To what nation then shall we apply?—To Great-Britain? Nobody has as yet trusted that idea. An application to any other must be either fruitless or dangerous: To those who advocate local confeder-

acies, and at the same time preach up for republican liberty, I answer that their conduct is inconsistent: The defence of such partial confederacies, will require such a degree of force and expence, as will destroy every feature of republicanism. Give me leave to say, that I see nought but destruction in a local confederacy. With what State can we confederate but North-Carolina? — North-Carolina situated worse than ourselves. Consult your own reason: I beseech Gentlemen most seriously to reflect on the consequences of such a confederacy: I beseech them to consider, whether Virginia and North-Carolina, both oppressed with debts and slaves, can defend themselves externally, or make their people happy internally. North-Carolina having no strength but militia, and Virginia in the same situation, will make, I fear, but a despicable figure in history. Thus, Sir, I hope that I have satisfied you, that we are unsafe without the Union—and that in Union alone safety consists. I come now, Sir, to the great enquiry, whether the Confederation be such a Government as we ought to continue under.—Whether it be such a Government as can secure the felicity of any free people. Did I believe the Confederation was a good thread, which might be broken without destroying its utility entirely, I might be induced to concur in putting it together—but, I am so thoroughly convinced of its incapacity to be mended or spliced, that I would sooner recur to any other expedient. When I spoke last, I endeavored to express my sentiments concerning that system, and to apologize (if an apology was necessary) for the conduct of its framers—That it was hastily devised to enable us to repel a powerful enemy—that the subject was novel, and that its inefficacy was not discovered till requisitions came to be made by Congress. In the then situation of America, a speedy remedy was necessary to ward the danger, and this sufficiently answered that purpose: But so universally is its imbecility now known, that it is almost useless for me to exhibit it at this time. Has not Virginia, as well as every other State, acknowledged its debility, by sending Delegates to the General Convention? The Confederation is, of all things the most unsafe, not only to trust to in its present form, but even to amend. The object of a Federal Government is to remedy and strengthen the weakness of its individual branches; whether that weakness arises from situation or any other external cause. With respect to the first, is it not a miracle that the Confederation carried us through the last war? It was our unanimity, Sir, that carried us through it. That system was not ultimately concluded till the year 1781—Although the greatest exertions were made before that time: Then came requisitions for men and money: Its defects then were immediately discovered: The quotas of men were readily sent—Not so those of money. One State feigned inability—another would not comply till the rest did, and various excuses were offered; so that no money was sent into the treasury—not a requisition was fully complied with. Loans were the next measure fallen upon: Upwards of 80,000,000 of dollars were wanting, beside the emissions of dollars forty for one—These things shew the impossibility of relying on requisitions. (Here his Excellency enumerates the different delinquencies of different States, and the consequent distresses of Congress.)—If the American spirit is to be depended upon, I call him to awake, to see how his Americans have been disgraced: But I have no hopes that things will be better hereafter. I fully expect things will be as they have been, and that the same derangements will produce similar miscarriages. Will the American spirit produce money, or credit, unless we alter our system? Are we not in a contemptible situation? Are we not the jest of other nations? But it is insinuated by the Honorable Gentleman [Patrick Henry], we want to be a grand, splendid, and magnificent people: We wish not to become so: The magnificence of a royal court is not our object. We want Government, Sir—A Government that will

have stability, and give us security: For our present Government is destitute of the one, and incapable of producing the other. It cannot, perhaps with propriety, be denominated a Government—being void of that energy requisite to enforce sanctions. I wish my country not to be contemptible in the eyes of foreign nations.—A well regulated community is always respected. It is the internal situation, the defects of Government, that attracts foreign contempt—that contempt, Sir, is too often followed by subjugation. Advert to the contemptuous manner in which a shrewd politician speaks of our Government. (Here his Excellency quoted a passage from Lord Sheffield, the purport of which was, that Great-Britain might engross our trade on her own terms: That the imbecility and inefficacy of our General Government were such, that it was impossible we could counteract her policy, however rigid or illiberal towards us, her commercial regulations might be.)—Reflect but a moment on our situation. Does not it invite real hostility? The conduct of the British ministry to us, is the natural effect of our unnerved Government. Consider the commercial regulations between us and Maryland. Is it not known to Gentlemen, that this State and that have been making reprisals on each other; to obviate a repetition of which, in some degree, these regulations have been made:⁷ Can we not see from this circumstance, the jealousy, rivalry, and hatred, that would subsist between them in case this State was out of the Union? They are importing States, and importing States will ever be competitors and rivals. Rhode-Island and Connecticut have been on the point of war, on the subject of their paper money⁸—Congress did not attempt to interpose.—When Massachusetts was distressed by the late insurrection, Congress could not relieve her. Who headed that insurrection? Recollect the facility with which it was raised, and the very little ability of the ring-leader, and you cannot but deplore the extreme debility of our merely nominal Government: We are too despicable to be regarded by foreign nations. The defects of the Confederation consisted principally in the want of power. It had nominally powers, powers on paper, which it could not use. The power of making peace and war is expressly delegated to Congress; yet the power of granting passports, though within that of making peace and war, was considered by Virginia as belonging to herself. Without adequate powers vested in Congress, America cannot be respectable in the eyes of other nations. Congress, Sir, ought to be fully vested with power to support the Union—protect the interest of the United States—maintain their commerce—and defend them from external invasions and insults, and internal insurrections; to maintain justice, and promote harmony and public tranquillity among the States. A Government not vested with these powers will ever be found unable to make us happy or respectable: How far the Confederation is different from such a Government, is known to all America. Instead of being able to cherish and protect the States, it has been unable to defend itself against the encroachments made upon it by the States: Every one of them has conspired against it. Virginia as much as any. This fact could be proved by reference to actual history. I might quote the observations of an able modern author, not because he is decorated with the name of author, but because his sentiments are drawn from human nature, to prove the dangerous impolicy of withholding necessary powers from Congress: But I shall not at this time fatigue the House, but as little as possible. What are the powers of Congress? They have full authority to recommend what they please: This recommendatory power reduces them to the condition of poor supplicants. Consider the dignified language of the members of the American Congress. *May it please your High Mightinesses, of Virginia, to pay your just proportionate quota of our national debt: We humbly supplicate, that it may please you to comply with your federal*

duties! We implore, we beg your obedience! Is not this, Sir, a fair representation of the powers of Congress? Their operations are of no validity, when counteracted by the States. Their authority to recommend is a mere mockery of Government. But the amendability of the Confederation seems to have great weight on the minds of some Gentlemen. To what point will the amendments go? What part makes the most important figure? What part deserves to be retained? In it, one body has the Legislative, Executive, and Judicial powers: But the want of efficient powers has prevented the dangers naturally consequent on the union of these. Is this union consistent with an augmentation of their power? Will you then amend it by taking away one of these three powers? Suppose for instance you only vested it with the Legislative and Executive powers, without any controul on the Judiciary, what must be the result? Are we not taught by reason, experience and governmental history, that tyranny is the natural and certain consequence of uniting these two powers, or the Legislative and Judicial powers, exclusively, in the same body? If anyone denies it, I shall pass by him, as an infidel not to be reclaimed. Wherever any two of these three powers are vested in one single body, they must at one time or other terminate in the destruction of liberty. In the most important cases, the assent of nine States is necessary to pass a law: This is too great a restriction, and whatever good consequences it may, in some cases, produce, yet it will prevent energy in many other cases; it will prevent energy, which is most necessary on some emergencies, even in cases wherein the existence of the community depends on vigor and expedition. It is incompatible with that secrecy, which is the life of execution and dispatch. Did ever thirty or forty men retain a secret? Without secrecy, no Government can carry on its operations on great occasions: This is what gives that superiority in action to the Government of one. If any thing were wanting to complete this farce, it would be, that a resolution of the Assembly of Virginia, and the other Legislatures, should be necessary to confirm and render of any validity the Congressional acts: This would openly discover the debility of the General Government to all the world. But in fact its imbecility is now nearly the same, as if such acts were formally requisite. An act of the Assembly of Virginia controverting a resolution of Congress, would certainly prevail. I therefore conclude, that the Confederation is too defective to deserve correction. Let us take farewell of it, with reverential respect, as an old benefactor. It is gone, whether this House says so, or not. It is gone, Sir, by its own weakness. I am afraid I have tired the patience of this House; but I trust you will pardon me, as I was urged by the importunity of the Gentleman [Patrick Henry], in calling for the reasons of laying the ground-work of this plan. It is objected by the Honorable Gentleman over the way (Mr. *George Mason*) that a republican Government is impracticable in an extensive territory, and the extent of the United States is urged as a reason for the rejection of this Constitution. Let us consider the definition of a republican Government, as laid down by a man who is highly esteemed. Montesquieu, so celebrated among politicians, says, "That a republican Government is that in which the body, or only a part of the people, is possessed of the supreme power; a monarchical, that in which a single person governs by fixed and established laws; a despotic Government, that in which a single person, without law, and without rule, directs every thing by his own will and caprice." This author has not distinguished a republican Government from a monarchy, by the extent of its boundaries, but by the nature of its principles. He, in another place, contradistinguishes it, as a government of laws, in opposition to others which he denominates a government of men. The empire or Government of laws, according to that phrase, is that in which the laws are made with

the free will of the people; hence then, if laws be made by the assent of the people, the Government may be deemed free. When laws are made with integrity, and executed with wisdom, the question is, whether a great extent of country will tend to abridge the liberty of the people. If defensive force be necessary in proportion to the extent of country, I conceive that in a judiciously constructed Government, be the country ever so extensive, its inhabitants will be proportionably numerous and able to defend it. Extent of country, in my conception, ought to be no bar to the adoption of a good Government. No extent on earth seems to me too great, provided the laws be wisely made and executed. The principles of representation and responsibility, may pervade a large as well as a small territory; and tyranny is as easily introduced into a small as into a great district. If it be answered, that some of the most illustrious and distinguished authors, are of a contrary opinion, I reply, that authority has no weight with me till I am convinced—that not the dignity of names, but the force of reasoning gains my assent. I intended to have shewn the nature of the powers which ought to have been given to the general Government, and the reason of investing it with the power of taxation, but this would require more time than my strength, or the patience of the Committee, would now admit of. I shall conclude with a few observations which come from my heart. I have laboured for the continuance of the Union—the rock of our salvation. I believe, that as sure as there is a God in Heaven, our safety, our political happiness and existence, depend on the Union of the States; and that without this Union, the people of this and the other States, will undergo the unspeakable calamities, which discord, faction, turbulence, war, and bloodshed, have produced in other countries. The American spirit ought to be mixed with American pride—Pride to see the Union magnificently triumph. Let that glorious pride which once defied the British thunder, reanimate you again. Let it not be recorded of Americans, that after having performed the most gallant exploits, after having overcome the most astonishing difficulties, and after having gained the admiration of the world by their incomparable valor and policy, they lost their acquired reputation, their national consequence and happiness, by their own indiscretion. Let no future historian inform posterity, that they wanted wisdom and virtue to concur in any regular efficient Government. Should any writer, doomed to so disagreeable a task, feel the indignation of an honest historian, he would reprehend and recriminate our folly, with equal severity and justice. Catch the present moment—seize it with avidity and eagerness—for it may be lost—never to be regained. If the Union be now lost, I fear it will remain so forever. I believe Gentlemen are sincere in their opposition and actuated by pure motives: But when I maturely weigh the advantages of the Union, and dreadful consequences of its dissolution; when I see safety on my right, and destruction on my left; when I behold respectability and happiness acquired by the one, but annihilated by the other, I cannot hesitate to decide in favor of the former. I hope my weakness, from speaking so long, will apologize for my leaving this subject in so mutilated a condition. If a further explanation be desired, I shall take the liberty to enter into it more fully another time.

1. Randolph resigned as governor on 12 November 1788 and was immediately elected to represent Williamsburg in the House of Delegates.

2. Between 1775 and 1778, Josiah Philips, a Princess Anne County laborer, led a group of bandits that terrorized southeastern Virginia. In June 1777, Governor Patrick Henry issued a proclamation offering a reward for Philips' capture. Philips and some of his followers were tried and convicted by the General Court. They were later executed.

3. Randolph refers to Abraham Stanyan, *An Account of Switzerland. Written in the Year 1714*.

4. Randolph likely had Kentucky in mind.

5. On 18 March 1780, the Continental Congress set the value of Continental paper money at the rate of one Spanish-milled dollar to forty dollars.

6. In the summer of 1780, a low point for Americans during the Revolution, John Mathews of South Carolina moved in Congress that Commander in Chief George Washington be given absolute power to raise and equip an army and to draw on the treasury for the money that he needed. Congress was to accept whatever he did. Congress refused to submit the motion to committee and a number of delegates severely censured Mathews.

7. Randolph probably refers to the Mount Vernon Conference in which Virginia and Maryland resolved some of their commercial differences.

8. In March 1787 the Rhode Island legislature, disturbed that non-residents were using the legal tender provisions of the paper-money act of May 1786, resolved that judges return any Rhode Island paper money received from an out-of-state debtor in payment to a Rhode Island creditor.

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