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Introduction: The Idea of a Second Convention

The idea for a second convention began late in the proceedings at the Philadelphia Convention in 1787. Prominent delegates Elbridge Gerry, George Mason, and Edmund Randolph espoused the idea of adding amendments and a bill of rights to the Constitution. These additions would be considered by a second convention prior to the implementation of the Constitution. The delegates at Philadelphia rejected the idea. While the Confederation Congress debated the transmittal of the Constitution to the states, Virginia delegate Richard Henry Lee proposed amendments to the Constitution in late September 1787. Congress rejected Lee's amendments. Lee later wrote to Governor Edmund Randolph and again suggested another general convention to consider amendments prior to the Constitution's implementation. In December 1787, a letter from Governor Randolph to the Virginia legislature was published as a pamphlet explaining his position and giving reasons for his refusal to sign the document at Philadelphia. He noted that he preferred another convention to alter the proposed plan of government. The initial publication and subsequent distribution of these two letters late in 1787 served to advance the notion that a second convention was necessary. Simultaneously discussions circulated regularly in both private letters and public debates calling for a second general convention before the adoption of the Constitution.

Among those who wished to see a second convention, there were differences regarding the agenda at any such meeting. Most Antifederalists, sought both to add a bill of rights and to alter the structure and powers of the new government. Others saw an opportunity to undo much of the work of the Philadelphia Convention and propose an amended version of the Articles of Confederation.

Early in 1788, beginning with Massachusetts, states began to attach recommendatory amendments to their forms of ratification. The Senators and Representatives in the First Federal Congress were to be instructed to advocate these amendments under the provisions of Article V of the Constitution. Federalists, at least outwardly, supported these amendments, but later during the first federal elections, most Federalists campaigned against any amendments.

The most concerted efforts for a second general convention came from the states of Virginia and New York. Virginia ratified the Constitution on 25 June 1788 with recommended amendments to be submitted to the first federal Congress. New York ratified on 26 July 1788, but requested that amendments be considered by a second general convention called by the First Federal Congress. By the end of summer 1788, when eleven states had ratified the Constitution, the push for a second constitutional convention among Antifederalists waned although the desire for amend-

ments to the new system persisted. Antifederalists in New York and Virginia continued their efforts through their state legislatures. Each requested that Congress call a second convention.

In his Inaugural Address President George Washington recommended that Congress propose a bill of rights. James Madison took the lead in advocating amendments in the U.S. House of Representatives. Both feared a second general convention and hoped that rights-type amendments proposed by Congress would scuttle all plans for a second convention that might radically alter the Constitution. Congress approved twelve amendments (mostly a list of rights) and sent them to the states for ratification. In doing so, a central issue that drove the desire for a second convention was eliminated.