

From Roger Sherman, New Haven, 8 December 1787 ¹

Dear Sir

I am informed that you wish to know my opinion with respect to the new Constitution lately formed by the federal convention, and the Objections made against it.

I suppose it is the general opinion that the present Government of the United States is not Sufficient to give them Credit and respectability Abroad or Security at home. But little faith or confidence can be placed in a government that has only power to enter into engagements, but no power to fulfil them.

To form a just opinion of the new constitution it Should be considered, whether the powers to be thereby vested in the federal government are Sufficient, and only Such as are necessary to Secure the Common interests of the States; and whether the exercise of those powers is placed in Safe hands.—In every government there is a trust, which may be abused; but the greatest Security against abuse is, that the interest of those in whom the powers of government are vested is the Same as that of the people they govern, and that they are dependent on the Suffrage of the people for their appointment to, and continuance in Office, this is a much greater Security than a declaration of rights, or restraining clauses upon paper.

The rights of the people under the new constitution will be Secured by a representation in proportion to their numbers in one branch of the legislature, and the rights of the particular State governments by their equal representation in the other branch.

The President, Vice President, and Senators, tho' chosen for fixed periods, are re eligible as often as the electors Shall think proper, which will be a very great Security for their fidelity in Office, and will likewise give much greater Stability and energy to government than an exclusion by rotation.—The greatest possible Security that a people can have for their civil rights and liberties, is, that no laws can be made to bind them, nor any taxes be imposed upon them without their consent by representatives chosen by themselves. This was the great point contended for in our contest with Great Britain; and will not this be fully Secured to us under the new constitution?

Declarations of rights in England were charters granted by Princes, or Acts of Parliament made to limit the prerogatives of the crown, but not to abridge the powers of the Legislature.—These observations duly considered will obviate most of the objections that have been made against the constitution.—The powers vested in the federal government are only Such as respect the common interests of the Union, and are particularly defined, So that each State retains it's Sovereignty in what respects its own internal government, and a right to exercise every power of a Sovereign State not delegated to the united States. And tho' the general government in matters within its jurisdiction is paramount to the constitutions & laws of the particular States, yet all acts of the Congress not warranted by the constitution would be void. Nor could they be enforced contrary to the Sense of a majority of the States.—One excellency of the constitution is

that when the government of the united States acts within its proper bounds it will be the interest of the legislatures of the particular States to Support it, but when it over leaps those bounds and interferes with the rights of the State governments it they will be their interest powerful enough to check it; but the powers of each distinction between their jurisdictions will be So obvious, that there will be no great danger of interference or contention between the governments of the particular States & the United States....

1 Dft, Sherman Collection, CtY. The letter has no addressee. Portions of this draft letter are found in Sherman's "A Citizen of New Haven," *Connecticut Courant*, 7 January and in an undated manuscript in Sherman's handwriting entitled "Observations on the New federal Constitution."

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