

Fictional Debate between William Williams, Elihu and Guests at the Griswold Inn in Essex Connecticut in February of 1788

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Introduction

After the Federal Constitution was written and adopted by the Constitutional delegates at the Philadelphia Convention during the summer of 1787, the Congress sent the document to the states. Each of the thirteen states held a convention where the delegates were assigned the task of debating and ultimately voting for or against the ratification of the Constitution. Nine out of the thirteen states needed to ratify the new Constitution before it could take effect. The first state was Delaware in December of 1787. Pennsylvania, New Jersey and Georgia followed in quick succession. Connecticut was the fifth state to ratify the Constitution in January of 1788. New Hampshire would be the decisive ninth state in June of 1788 and Rhode Island would be the last in May of 1790 well after the election of George Washington as our first president.

In this fictional debate several of the delegates of both the Federal Constitutional Convention and the State Convention meet in an actual colonial pub in February of 1788 a month after Connecticut becomes the fifth state to ratify the Constitution. In this hypothetical scenario William Williams (Connecticut State delegate from Lebanon, Connecticut and one of the original signers to the declaration of Independence) meets with Elihu (a pen name for an individual who has criticized him in the *American Mercury* (a local newspaper) for being a signatory of the Federal Constitution at the State Convention the month before. Williams wants to talk to him to explain his reasons for ratifying the Constitution and Elihu wants to vent his arguments, especially in regard to the Religious Test Clauses in Article VI. Elihu believes that a religious test clause should have been written in the Constitution where Williams does not. In the midst of the debate other delegates arrive to join them and add their “two cents” as to why they also signed the Constitution. The larger issue of the importance of ratifying the Constitution as a whole, as opposed to debating specific amendments is discussed. The ratifiers, largely Federalists, focused on the need for passage and that amendments could later be addressed. They admit this document is not perfect but compromises were essential to get it adopted.

Documents used in Script

[Various Speeches in the Connecticut Convention, 4 January 1788](#)

[Oliver Wolcott Speech in the Connecticut Convention, 9 January 1788](#)

[Samuel Holden Parsons to William Cushing, 11 January 1788](#)

[William Williams to the Printer, *American Mercury*, 11 February 1788](#)

[Elihu, *American Mercury*, 18 February 1788](#)

[Landholder to William Williams, *American Mercury* and *Connecticut Courant*, 10 March 1788](#)

Characters in Script

William Williams

Elihu

Matthew Griswold

Oliver Ellsworth

William Samuel Johnson

Roger Sherman

Oliver Wolcott

Bar maid

Character Sketches

William Williams – Williams was from Lebanon, Connecticut, a signer of the Declaration of Independence and a delegate to the Connecticut constitutional convention.

Elihu – An anonymous Anti-Federalist writer who condemns Williams and those who supported the removal of any religious test for those who hold public office.

Matthew Griswold- Griswold was born in Lyme, Connecticut. He was a Federalist and was the Governor of Connecticut and the President of the Connecticut State Ratifying Convention.

Oliver Ellsworth – Ellsworth was a Federalist drafter and delegate to the Philadelphia Constitutional Convention. He also served as a United States Senator from Connecticut and was chosen as the third Chief Justice of the U.S. Supreme Court.

William Samuel Johnson – Johnson was a clergyman who was born in Stratford, Connecticut. He served as a delegate to the United States Constitutional Convention and was a U.S. senator from Connecticut. He also was appointed as President of Columbia University.

Roger Sherman – Sherman was the first mayor of New Haven, Connecticut. He served on the Committee of Five that drafted the Declaration of Independence. Sherman was a representative to the House of Representatives and was a delegate to the Philadelphia Constitutional Convention. He and Oliver Ellsworth were instrumental in the “Connecticut Compromise” that resolved the representational issue at the Convention. Sherman was also the only man to sign the Declaration of Independence, the Articles of Association, the Articles of Confederation, and the United States Constitution.

Oliver Wolcott – Wolcott was born in Windsor, Connecticut and was a signer to the Declaration of Independence and the Articles of Confederation. Wolcott also served as a representative from Connecticut and for a time was the governor of Connecticut.

Bar Maid – fictional character at the Griswold Inn

The Script

Williams – Hello and thanks for meeting with me. I know you want to remain anonymous so I can assure you that I will not reveal your name.

Elihu – Thank you – I appreciate that. My reasons for anonymity are not entirely personal and that is why I was willing to meet with you.

Williams – An ale?

Elihu – Yes, thank you

Williams – Two ales, please

Bar Maid – Yes sir; coming right up

Williams – So let's get down to business. I must be honest. I did not expect my views to be challenged in the American Mercury. The vote at the state ratifying convention last month was quite compelling. The entire process took a week and the delegates spoke largely with one voice.

Elihu – It's true that 120 of the 168 delegates voted for ratification (including yourself) but there were 40 dissenters. And you may have heard more dissent had the Courier and the American Mercury published more Anti-Federalist critiques.¹

Williams – Okay! Okay! Fair enough but let's get to specifics. There were many more critical objections one could have made but why are you so particularly focused on the Religious Test Clauses of Article VI? ²

Elihu – Because it seems outrageous that the author of our Being ³ is so conspicuously absent from our founding document. ⁴

Williams – But He is not absent!

Elihu – What do you mean? There is no mention of him anywhere and to make matters worse; in Article VI it says “No religious test shall ever be required as a qualification to any office or public trust under the United States.”

Williams – That's true but the test ban does not mean that public officials must be atheists. It simply means that no particular religious persuasion will be privileged if one declares his intent to run. ⁵

Elihu – Okay, but what happens if one is an atheist or infidel or a Jew?

Williams – So is your problem with atheists or people of other religions? You seem to be mixing “apples with oranges”.

Elihu – My point is how can the people trust a representative if he is not at least a theist? “Only the fool has said in his heart there is no God.” ⁶ Do you want fools “promoted to any high office or station?”

Williams – No, of course not but even if a test was determined what would it look like? How effective would it actually be?

Elihu – Explain.

Williams – Well, what would be the actual specifics of a religious test? Would it be a general assent to a belief in God? But that would be meaningless because which God? Different religions have contradictory views of the Supreme Being.

If you mean, the Christian God then what sect? Different sect's hold disparate views on what it means to be a Christian. Wars in the Old Country were fought over less. ⁷ For instance, is an orthodox Christian one who believes in infant or believer baptism? Or one whose adheres to a particular view of the Lords Supper? The Atonement? Salvation? The Eschaton? ⁸

In short, what would be the common doctrine that all denominations share which entitles them to name Christian? And that's just Protestants. How about our Catholic friends? And I suppose Jews and Muslims are out of the question?

Elihu – I see your point.

Williams – Another problem is even if an acceptable and fair religious test could be delineated, how does one prevent against deception?

Elihu – What do you mean?

Williams – Suppose an individual lies and affirms a religious test that he really does not believe.

Elihu – That would be sacrilege!

Williams – Yes, it would.

Elihu – No upright man would commit such a horrid act!

Williams – Yes, only if the man is upright. But what if he isn't? There is always a possibility that the lust for power blinds a man. Moreover, there would be no way to ascertain if one was telling the truth or lying. Excuse me but I think I see some of my colleagues. Come over and join us.

Group enters (Matthew Griswold, Oliver Ellsworth, William Samuel Jackson, Oliver Walcott, and Roger Sherman)

Williams - Hello Gentleman

Group – Good to see you Mr. Williams. We were out and decided to stop for a pint of ale.

Williams – Please join us. This is Mr. Elihu. We were actually having a spirited discussion on the Religious Test Clause of our new Constitution. Mr. Elihu finds the insertion of the test ban as problematic.

Griswold – Well, Sir, I was the President of the Connecticut State Delegation and I understand your concern but keep in mind it was the honorable Charles Pinckney from South Carolina who came up with this language

at the Federal Constitutional Convention last year. This was just one of the many issues we debated. My goal at the state convention was to ensure that the process of ratification not get bogged down.

Sherman – In fact, I was in Philadelphia last year and know it firsthand. Frankly, the debate about representation was a much larger and contested issue which I might add Mr. Ellsworth and I took no small part in resolving.

Ellsworth – You are too kind.

Sherman – You are welcome. But let me get back to the point. My opinion on the religious test ban was that it was unnecessary. I do not support religious tests but, at the same time, I did not think that this language needed to be in our federal constitution either.

Wolcott – I too did not see the necessity of such a test as some gentleman wished for. Why? Because the Constitution enjoins an oath upon all officers of the United States. This oath or affirmation, as some of our Quaker brothers prefer imply a belief in God already. In fact, Mr. Sherman is correct. It could be construed as a bit redundant to have required a religious test for all federal officers.⁹

Ellsworth – Besides, with all due respect, the necessity of a federal government and our federal union is of utmost concern. I, myself, opened the state convention last month with an appeal to union and the importance that Connecticut ratify the Constitution and we did. Yes, there are many issues that could still be debated, but the Constitution had to be ratified. We can still amend this great document in time.

Dr. Johnson – That is correct. We cannot continue on in our present course. The Articles have caused us ruin and so we were compelled to adopt a new course.¹⁰ I fear if we reject a plan of government which with such favorable circumstances is offered for our acceptance, I fear our national existence must come to a final end.

Elihu – Well, gentleman this discussion has been an interesting one. I appreciate your first hand views on regard to the larger context of the state convention and its primary purpose. However, I would like to add that we still have 11 out of 13 states that require religious tests for public office. Does that not seem a bit contradictory? Will that not lead to judicial problems down the road? How will our new Supreme Court deal with this issue? Or will they?

Williams – This is a good question. Good sir, our new constitution is a blueprint that will have to be interpreted and amended. It is not written in stone and so issues of slavery, the franchise, and the relation between the federal government and the states will have to be addressed. But now sir I am confident to say and I think my colleagues would concur, we need this constitution as imperfect as it is.

Group – Here! Here! (as they raise their glasses)

Elihu – I hope you are right.

Discussion Questions

1. In general why were Federalists in support of not having a religious test for political office? Why were many Anti-Federalists for the religious test?
2. What were the arguments set forth by the characters that supported the religious test ban? The arguments against?
3. Which position do you tend to agree with and why?
4. Why do you think some states today still have religious requirements as a prerequisite for public office? Do you think they should be removed from state law?
5. How does Article VI relate to the Establishment Clause of the First Amendment? Explain.
6. Is it safe to say that our Constitution is a “secular document”? Explain.

A Note On Religious Tests

Even until this day eight states still include language in their Constitutions either requiring state officeholders to have particular beliefs or specifically protecting those who do. Those states are; Arkansas, Maryland, Mississippi, North Carolina, Pennsylvania, South Carolina, Tennessee and Texas.

However, in the Supreme Court Case of *Torcaso vs. Watkins* (1961), the Court ruled unanimously that such language in state constitutions was in violation of the First and Fourteenth Amendments to the U.S. Constitution. In short, they are unenforceable and would be challenged if applied in those states.

Endnotes

1. The Connecticut Courant and the American Mercury were colonial newspapers in Connecticut
2. Religious Test Clauses of Article VI – the issue of debate whether a religious test should have been added to the Constitution as a prerequisite for all who serve in the government. In the final form, this amendment was not added to the Constitution.
3. Author of our being refers to God
4. Founding document is the Constitution
5. Religious persuasion is a reference to one’s religious denomination such as Congregationalist, Presbyterian, Baptist, etc. Normally at this time this term referred to different sects within Christendom, not other religions. This, of course, is part of the reason why those who advocated for a religious test wanted it included in the Constitution. In short, this amendment could have been used to exclude those who not Protestants (Catholics), or those who are not orthodox (deists), skeptics (atheists) or people of other religions (Jews or Muslims). It could have been used as a political wedge to discriminate. This, is partially why, many voted against adopting this amendment.
6. Quote from the Bible
7. The Old Country refers to Europe
8. The Lord’s Supper is the Sacrament of the Holy Communion or can be called the Eucharist. According to Christians, The Atonement is a theological term that refers to the price that Christ paid for humanity’s sinfulness through his death and resurrection. The Eschaton is the term that refers to

the “End Times” and the chronology of events that are supposed to occur which culminates in the Second Coming of Christ.

9. An Oath is a sacred promise that some denominations were not comfortable making (Quakers), so instead they preferred the term affirmation.
10. Articles refers to the Articles of Confederation which was our first government prior to the adoption of our Constitution.

Important Secondary Sources

1. *The Documentary History of the Ratification of the Constitution*-Edited by Merrill Jenson, John P. Kaminski, and Gaspare J. Saladino, Madison State Historical Society of Wisconsin, Volume 3, 1978. Most of the primary source documentation of the Connecticut State Ratifying Convention can be found in volume 3.
2. *Federalists and Anti-Federalists: The Debate over the Ratification of the Constitution*-Edited by John P. Kaminski and Richard Leffler, Second Edition, 1998.
3. *Ratification: The People Debate the Constitution, 1788-1789* by Pauline Maier, 2010, See chapter 5
4. *Original Meanings: Politics and Ideas in the Making of the Constitution* by Jack Rakove, 1996, See chapter 5 on the concept of ratification