

# A Reader's Theater-The Dangers and Difficulties of Constitutional Change

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## Documents Used in Script:

[An Old Whig I, Philadelphia \*Independent Gazetteer\*, 12 October 1787](#)

[Poplicola, \*Massachusetts Centinel\*, 31 October 1787](#)

## Roles in Script:

Narrator

An Old Whig

Poplicola

## Script:

Narrator: We are here today to discuss the merits of the recently proposed Constitution. Delegates from twelve states gathered in Philadelphia to revise the Articles of Confederation. Instead they have Sir Old Whig, why have you changed your mind about the proposed constitution?

An Old Whig: When the constitution proposed by the late convention made its appearance, I was disposed to embrace it almost without examination; I was determined not to be offended with trifles or to scan it too critically.

Narrator: Really? That sounds awful trusting of you.

An Old Whig: [Yes.] Such were my reasonings;—but, upon further reflection, I may say that I am shaken with very considerable doubts and scruples.

Poplicola: I am sorry [Old Whig] is not happy with the *one* lately offered to the publick for their approbation. Since it seems, however, that his first opinions were in favour of its being adopted, may we not suppose that in this instance his “second thoughts are by no means the best.”

Narrator: So you are questioning Old Whig’s ability to think clearly on the matter?

Poplicola: [Certainly.] When he thinks a third time on the subject, I flatter myself he may change his sentiments again, and may then be as much in favour of the measure as he now is against it.

An Old Whig: [I will not change my mind again, there are numerous problems with the proposed constitution!]

Narrator: What problems do you find?

An Old Whig: In the first place, it appears to me that I was mistaken in supposing that we could so very easily make trial of this constitution and again change it at our pleasure. The conventions of the several states cannot propose any alterations—they are only to give their *assent* and *ratification*.

Narrator: And if the proposed plan is ratified, I am assuming you have issues with the amending process outlined in the Constitution?

An Old Whig: [Yes,] after the constitution is once ratified, it must remain fixed until two thirds of both the houses of Congress shall deem it necessary to propose amendments; or the legislatures of two thirds of the several states shall make application to Congress for the calling a convention for proposing amendments.

Narrator: And the problem with this is what?

An Old Whig: [These] amendments shall not be valid till they are ratified by the legislatures of three fourths of the several states, or by conventions in three fourths thereof, as one or the other mode of ratification may be proposed by Congress

Poplicola: Would this gentleman wish that the order of society should be inverted, as easily as a lady would alter the fashion of her cloaths.

Narrator: Could you explain your analogy?

Poplicola: [Certainly.] At this rate we should be never at peace—every day would teem with new difficulties, and every suggestion formed by the vanity, interest, or even spleen of an individual, would become the capricious motive to some essential innovation.

An Old Whig: The people were made to believe that they could make trial of his laws for a few months or years, during his absence, and as soon as he returned they could continue to observe them or reject at pleasure. Thus this celebrated Republic was in reality established by a trick. In like manner the proposed constitution holds out a prospect of being subject to be changed if it be found necessary or convenient to change it; but the conditions upon which an alteration can take place, are such as in all probability will never exist.

Narrator: And the problem with this is what?

An Old Whig: The consequence will be that, when the constitution is once established, it never can be altered or amended without some violent convulsion or civil war.

Poplicola: If it be in America only, that we have written constitutions of government, founded on solemn deliberation, and adopted without fraud, violence, or bloodshed, it is most infallibly peculiar to this country alone, that the power which has formed, has reserved the right of changing our government when abuses in the administration, or defects in the system itself, shall render it necessary.

An Old Whig: Add to this, that under the proposed constitution, it will be in the power of the Congress to raise and maintain a standing army for their support, and when they are supported by an army, it will depend on themselves to say whether any amendments shall be made in favor of liberty.

Narrator: That brings up a good point. How will the proposed constitution help protect against a tyrannical Congress?

An Old Whig: [It doesn't]. The legislatures of the states will be but forms and shadows, and it will be the height of arrogance and presumption in them, to turn their thoughts to such high subjects. After this constitution is once established, it is too evident that we shall be obliged to fill up the offices of assemblymen and councillors, as we do those of constables, by appointing men to serve whether they will or not, and fining them if they refuse. The members thus appointed, as soon as they can hurry through a law or two for repairing highways or impounding cattle, will conclude the business of their sessions as suddenly as possible; that they may return to their own business. Their heads will not be perplexed with the great affairs of state

Poplicola: With respect to what is said of our legislatures sinking into insignificance or contempt, when the Constitution is adopted, I will now suggest a reason why this must be impossible

An Old Whig: The different legislatures will have no communication with one another from the time of the new constitution being ratified, to the end of the world.

Narrator: And it follows that Congress will become the center of all power?

An Old Whig: [Absolutely]. Congress will be the great focus of power as well as the great and only medium of communication from one state to another. The great, and the wise, and the mighty will be in possession of places and offices; they will oppose all changes in favor of liberty; they will steadily pursue the acquisition of more and more power to themselves and their adherents. The cause of liberty, if it be now forgotten, will be forgotten forever

Narrator: Poplicola, your response.

Poplicola: [An Old Whig says] the “great” the “wise” and the “mighty,” . . . will be in Congress; but to be there, they must be first chosen by those very legislatures, which he represents to be so very insignificant; or by the people at large—Now to be even known to the people, these “great” and “wise” persons must be in a situation to have their publick conduct observed and approved, by the state they would wish to represent.

Narrator: But what if Congress did become tyrannical?

Poplicola: In case of extreme necessity, these legislatures of the respective states, would form a formidable barrier against any possible encroachment of the sovereign power; they might establish a communication of councils, throughout the continent; Congress itself would tremble under the frowns of their constituents, and oppression would hide its horrid front, on this happy and united continent

Narrator: Won't the press be able to help? I mean, won't the press shine a light on the activities of the legislature?

An Old Whig: Even the press which has so long been employed in the cause of liberty, and to which perhaps the greatest part of the liberty which exists in the world is owing at this moment; the press may possibly be restrained of its freedom, and our children may possibly not be suffered to enjoy this most invaluable blessing of a free communication of each others sentiments on political subjects.

Narrator: It is true the Constitution has no guarantees in it for the freedom of the press.

Poplicola: Why [An Old Whig] should conceive the *Liberty of the Press* is endangered by the new Constitution, I cannot think—His other objections, at least, have the appearance of plausibility, but this must be considered as altogether unsupported, as it is a known truth, that in the present Constitution every privilege is left, which is not expressly taken away from the people.

An Old Whig: I cannot find in the proposed constitution any thing expressly calculated to obviate these fears. . . . One thing however is calculated to alarm our fears on this head.

Narrator: What do you mean?

An Old Whig: The fashionable language which now prevails so much and is so frequent in the mouths of some who formerly held very different opinions;—that common people have no business to trouble themselves about government.

Narrator: So you suspect the press has currently been misleading?

An Old Whig: [Correct]. Newspapers, pamphlets and essays are calculated only to mislead and inflame.

Poplicola: I wish to see every thing offered against the new government, that the people may thoroughly comprehend it, and not be induced to suppose there is some latent mischief which is not revealed; but at the same time we should not confound the chimeras of a heated imagination, with the force and precision of solid argument.

An Old Whig: Should the freedom of the press be restrained on the subject of politics, there is no doubt it will soon after be restrained on all other subjects, religious as well as civil.

Narrator: So its a slippery slope?

An Old Whig: [Yes]. If the freedom of the press shall be restrained, it will be another reason to despair of any amendments being made in favor of liberty, after the proposed constitution shall be once established.

Narrator: I would like to thank our guests for sharing with us. I hope our discussion has furthered our understanding of the proposed Constitution. Hopefully the discussions will continue.