

## **Rawlins Lowndes, Speech in the South Carolina House of Representatives, 18 January 1788**

Hon. RAWLINS LOWNDES observed, that he had been accused of obstinacy in standing out against such a formidable opposition; but he would sincerely assure the house that he was as open to conviction as any gentleman on the floor: yet he never would allow himself to be drawn into the adoption of specious arguments; for such he considered many of those now opposed against him to be. Indeed, some gentlemen had departed from their usual candor in giving an interpretation to his arguments which they did not merit. In one instance, it had been stated as if he was of opinion that treaties had not the force of law. This was going too far. He did not recollect that he had asserted any more than that the king of Great Britain had not a legal power to ratify any treaty which trenched on the fundamental laws of the country. He supposed a case, under the dispensing act of William and Mary, asking, "If the king had made a treaty with the Roman Catholics, could that which was excepted by the laws ever be considered as paramount?" The honorable gentleman again took an ample view of the old Confederation, on which he dwelt with fervency for some time, and ridiculed the depraved inconsistency of those who pant for the change. Great stress was laid on the admirable checks which guarded us, under the new Constitution, from the encroachments of tyranny; hut too many checks in a political machine must produce the same mischief as in a mechanical one--that of throwing all into confusion. But supposing we considered ourselves so much aggrieved as to reduce us to the necessity of insisting on redress, what probability had we of relief? Very little indeed. In the revolving on misfortune, some little gleams of comfort resulted from a hope of being able to resort to an impartial tribunal for redress; but pray what reason was there for expectancy that, in Congress, the interest of five Southern States would be considered in a preferable point of view to the nine Eastern ones? With respect to, migration from the Eastern States to the Southern ones, he did not believe that people would ever flock here in such considerable numbers, because our country had generally proved so uncomfortable, from the excessive heats, that our acquaintance, during the heats, is rather shunned than solicited. The honorable gentleman mentioned that he had sent for a person from Europe, who did not long survive his introduction here, falling a sacrifice to the baneful effects of fogs and swamps; so that, from our limitation of importing negroes after the term of twenty years, instead of rising in representation, we should gradually degenerate. He treated those fears of our falling a prey to foreigners as one of those arguments tending to precipitate us into measures inimical to our natural interest; for was it to be supposed that the policy of France would ever suffer America to become an appendage of the crown of Great Britain; or that Great Britain, equally jealous of France, would permit her to reduce us to subjection? Our danger of ruin should rather be apprehended from dissensions amongst ourselves--from our running into debt without any intention to pay: that was the rock on which we might split, rather than foreign enemies; and, therefore, all those arguments for establishing the necessity of a navy and standing army were nugatory, and entitled to very little attention.

It was urged that, until we had a navy powerful enough to protect us, our liberties and property were held only on courtesy; but if gentlemen adverted, where this navy, so necessary, was to

come from,--not from the Southern States, but the Northern ones,--they would easily perceive to whom this country would belong. It was true, the old Confederation was a mere paper defence; but then it was a good proof on our behalf if we were overcome by unmerited wrongs. Some had made this a question--"Will you join, or will you be single?" For his part, he did not think matters had come to such a crisis; rather let us comply with our federal connection, which, not yet being broken, admits of being strengthened. A gentleman had instanced Vattel in support of his argument, and laid down, from that author, an opinion that where parties engaged in the performance of an obligation, should any one of them fly off from his agreement, the original was null and void. He had ingeniously applied this to our present Continental situation, and contended, as some of the states acted in a refractory manner towards the Continental Union, and obstinately refused a compliance, on their parts, with solemn obligations, that of course the Confederation was virtually dissolved. But Vattel merely recited such a case as where only a part of a confederation was broken; whereas ours was totally different, every state in the Union having been uniform in refusing a compliance with the requisitions of Congress. Some gentlemen had advanced a set of assertions to prove that the Eastern States had greatly suffered in the war. Pray, how had they suffered? Did they not draw from the Continental treasury large sums of money? Was not every expense incurred by them defrayed out of the Continental coffers? Another great advantage held out was, that we should be eased, in future, from the obligation and difficulty of defraying the expenses of delegates. Had we gained so much by this, when we had given up the very means of furnishing this sort of supply, formerly in our own option? As to the taxes, undoubtedly they must be increased under this new government. We paid at present two dollars per head upon our negroes; but the expenses attending our pompous government might increase this expense into six dollars per head, and this enormous sum collected by a sort of foreign power; for did any man, that knew America, suppose such tax will be easily paid? But if there was such a universal propensity to set up this golden image, why delay its inauguration? Let us at once go plump into the adoration of it; let us at once surrender every right which we at present possess. A material objection of his to the offered plan was, that the President would have power to call both houses at what time and place he thought proper. Suppose a political cause for partiality; might he not so arrange things, as to carry a favorite point, by assembling the federal government, to the ruin or detriment of those states he meant to crush, and laws be enacted before those in extreme parts of the country knew any thing of their tendency? Surely some restrictions, as to time of meeting, should have been specified. The President had also the power of adjourning to any day he thought proper. In our old constitution, no such power was given to the chief magistrate to adjourn or dissolve. On the whole, this was the best preparatory plan for a monarchical government he had read. The Constitution of Great Britain he considered as the best monarchical one he ever perused; and this new government came so near to it, that, as to our changing from a republic to a monarchy, it was what every body must naturally expect. How easy the transition! No difficulty occurred in finding a king: the President was the man proper for this appointment. The Senate, hailing him a king, (constituted, according to Mr. Adams's description, from the well-born,) will naturally say to one another, "You see how we are situated; certainly it is for our country's benefit that we should be all lords;" and lords they are.

Mr. Lowndes concluded his speech with thanking the house for their very great indulgence in permitting him to take up so much time. He hoped that the vast importance of the subject would plead his excuse. He also thanked those gentlemen on the other side of the question for the candid, fair manner in which they had answered his arguments. Popularity was what he never courted; but on this point he spoke merely to point out those dangers to which his fellow-citizens were exposed--dangers that were so evident, that, when he ceased to exist, he wished for no other epitaph, than to have inscribed on his tomb, "Here lies the man that opposed the Constitution, because it was ruinous to the liberty of America."

Jonathan Elliot, ed., *The Debates in the Several State Conventions, on the Adoption of the Federal Constitution*, Vol. 4, Philadelphia: J.B. Lippincott and Company, pp. 308-311.