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James Madison: Notes on the Debates about Calling a Convention, 21 February 1787¹

The report of the Convention at Annapolis in September 1786 had been long under consideration of a committee of the Congress for the last year; and was referred over to a grand committee of the present year. The latter committee after considerable difficulty and discussion, agreed on a report by a majority of *one* only (see the Journals) which was made a few days ago to Congress and set down as the order for this day. The report coincided with the opinion held at Annapolis that the Confederation needed amendments and that the proposed convention was the most eligible means of effecting them. The objections which seemed to prevail against the recommendation of the convention by Congress, were with some: (1) that it tended to weaken the federal authority by lending its sanction to an extra-constitutional mode of proceeding—with others (2) that the interposition of Congress would be considered by the jealous as betraying an ambitious wish to get power into their hands by any plan whatever that might present itself. Subsequent to the report, the delegates from New York received instructions from its legislature to move in Congress for a recommendation of a convention; and those from Massachusetts had, it appeared, received information which led them to suppose it was becoming the disposition of the legislature of that state to send deputies to the proposed convention in case Congress should give their sanction to it. There was reason to believe however from the language of the instruction from New York that her object was to obtain a new convention, under the sanction of Congress rather than to accede to the one on foot, or perhaps by dividing the plans of the states in their appointments to frustrate all of them. The latter suspicion is in some degree countenanced by their refusal of the Impost a few days before the instruction passed, and by their other marks of an unfederal disposition.² The delegates from New York in consequence of their instructions made the motion on the Journal to postpone the report of the committee in order to substitute their own proposition. Those who voted against it considered it as liable to the objection above-mentioned. Some who voted for it, particularly Mr. Madison, considered it susceptible of amendment when brought before Congress, and that if Congress interposed in the matter at all it would be well for them to do it at the instance of a state, rather than spontaneously. This motion being lost, Mr. [Nathan] Dane from Massachusetts, who was at bottom unfriendly to the plan of a convention, and had dissuaded his state from coming into it, brought forward a proposition, in a different form, but liable to the same objection with that from New York. After some little discussions, it was agreed on all sides, except by Connecticut who opposed the measure in every form, that the resolution should pass as it stands on the Journal, sanctioning the proceedings and appointments already made by the states as well as recommending farther appointments from other states, but in such terms as do not point directly to the former appointments.

It appeared from the debates and still more from the conversation among the members that many of them considered this resolution as a deadly blow to the existing Confederation. Doctor [William Samuel] Johnson, who voted against it, particularly declared himself to that effect. Others viewed it in the same light, but were pleased with it as the harbinger of a better Confederation.

The reserve of many of the members made it difficult to decide their real wishes and expectations from the present crisis of our affairs. All agreed and owned that the federal government in its existing shape was inefficient and could not last long. The members from the Southern and Middle states seemed generally anxious for some republican organization of the system which would preserve the Union and give due energy to the government of it. Mr. [William] Bingham alone avowed his wishes that the Confederacy might be divided into several distinct confederacies, its great extent and various interests being incompatible with a single government. The Eastern members were suspected by some of leaning towards some anti-republican establishment (the effect of their late confusions), or of being less desirous or hopeful of preserving the unity of the empire. For the first time the idea of separate confederacies had got into the newspapers. It appeared today under the Boston head.³ Whatever the views of leading men in the Eastern States may be, it would seem that the great body of the people, particularly in Connecticut, are equally indisposed either to dissolve or divide the Confederacy or to submit to any anti-republican innovations.

1. It is evident from the contents of Madison's notes that they cover more than the debates on 21 February and that they were probably written sometime later.

2. The New York legislature had ratified the Impost of 1783 in May 1786 but had refused to grant Congress the power to remove collectors appointed by the states. In August 1786 Congress requested New York to alter its ratification to allow removal, but the legislature categorically refused to do so on 15 February 1787.

3. Madison probably refers to an item which first appeared in the Boston *Independent Chronicle*, 15 February.

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