



CENTER FOR THE STUDY OF THE AMERICAN CONSTITUTION

csac.history.wisc.edu > Document Collections > Constitutional Debates: Federalist and Antifederalist Essays > The Debate Over the Senate > Term of Office of Senators

John Lansing, Jr., Speech: New York Convention 24 June 1788 (excerpt)

. . . The representation of the United States, by the proposed system, is vested in two bodies. On the subject of one of these, we have debated several days, and now come to the organization and powers of the other. I believe, it was undoubtedly the intention of the framers of this Constitution, to make the lower house the proper, peculiar representative of the interests of the people. The senate, of the sovereignty of the states. Some very important powers are given to the latter, to be executed without the concurrence of the representative house. Now, if it was the design of the plan to make the senate a kind of bulwark to the independence of the states; and a check to the encroachments of the general government; certainly the members of this body ought to be peculiarly under the controul, and in strict subordination to the state who delegated them. In proportion to their want of dependence, they will lose their respect for the power from whom they receive their existence; and, consequently, will disregard the great object for which they are instituted. The idea of rotation has been taken from the articles of the old confederation.¹ It has thus far, in my opinion, operated with great advantage. The power of recall, too, has been an excellent check;² though it has in fact never been exercised. The thing is of so delicate a nature, that few men will step forward to move a recall, unless there is some strong ground for it.

Sir, I am informed by gentlemen, who have been conversant in public affairs, and who have had seats in Congress; that there have been, at different times, violent parties in that body; an evil that a change of members has contributed, more than any other thing, to remedy. If, therefore, the power of recall should be never exercised; if it should have no other force than that of a check to the designs of the bad, and to destroy party spirit; certainly no harm, but much good, may result from adopting the amendment. If my information be true, there have been parties in Congress which would have continued to this day, if the members had not been removed. No inconvenience can follow from placing the powers of the senate on such a foundation, as to make them feel their dependence. It is only a check calculated to make them more attentive to the objects for which they were appointed. Sir, I would ask, is there no danger that the members of the senate will sacrifice the interest of their state to their own private views? Every man in the United States ought to look with anxious concern to that body. Their number is so exceedingly small, that they may easily feel their interests distinct from those of the community. This smallness of number also renders them subject to a variety of accidents, that may be of the highest disadvantage. If one of the members is sick, or if one or both are prevented occasionally from attending, who are to take care of the interest of their state?

Sir, we have frequently observed that deputies have been appointed for certain purposes, who have not punctually attended to them, when it was necessary. Their private concerns may often

require their presence at home. In what manner is this evil to be corrected? The amendment provides a remedy. It is the only thing which can give the states a controul over the senate. It will be said, there is a power in Congress to compel the attendance of absent members; but, will the members from the other states be solicitous to compel such attendance, except to answer some particular view, or promote some interest of their own? If it be the object of the senators to protect the sovereignty of their several states; and if, at any time, it be the design of the other state[s], to make encroachments on the sovereignty of any one state, will it be for their interest to compel the members from this state to attend, in order to oppose and check them? This would be strange policy indeed. . . .

1. Article V of the Articles of Confederation stated that “no person shall be capable of being a delegate [to Congress] for more than three years in any term of six years.”

2. Article V of the Articles of Confederation stated that “a power [was] reserved to each state, to recal its delegates, or any of them, at any time within the year, and to send others in their stead, for the remainder of the Year.”

CITE AS: John P. Kaminski et al., eds., *The Documentary History of the Ratification of the Constitution*, Vol. XXII: New York [4] (Madison, Wis.: Wisconsin Historical Society Press, 2008), 1841–42.