

GREAT DEBATES IN AMERICAN HISTORY

## Unit 2: How Powerful Should the National Government Be?

### The Issue

The 1787 convention in Philadelphia went far beyond its original instructions to revise the Articles of Confederation. After meeting for several days, the delegates decided to scrap the Articles and replace them with a new constitution, one that would establish a more powerful national government. Two groups emerged during the heated debate over the Constitution's approval—the Federalists, who campaigned in its favor, and the Anti-Federalists, who opposed its ratification.

### Background

Colonial Americans fought a revolution to free themselves from the abusive power of the British crown. This revolution gave birth to independent states, not a unified country. Although New Yorkers and Virginians were no longer British subjects, they still identified more with their states than with the new nation. As a result of the war with Britain, they were also suspicious of political authority. Between 1776 and 1787 most of the states instituted new democratic reforms that limited the power of their governors and judges and insured popular sovereignty with new bills of rights.

The Anti-Federalists were a loose coalition of people who campaigned against the approval of the Constitution because they claimed it did not reflect the rights of the people or the states. They believed in the republican ideal of the "consent of the governed," and they viewed the proposed Constitution as a threat to liberty and the spirit of the American Revolution.

The Federalists, on the other hand, claimed that the Articles of Confederation had produced a weak, ineffective central government. They feared that rivalries and conflicts between states were gradually pushing the nation into a state of anarchy. The Federalists argued that ratification of the Constitution would unify the states and create a strong national government. In their view a strong central government would make it

possible to regulate commerce and provide for a common defense.

### The Readings

The following debate contains two speeches delivered at the Virginia ratifying convention in 1788. Virginia was the largest, wealthiest, and most populous of the states. Its support was crucial to the success of the proposed Constitution.

Anti-Federalist Patrick Henry, a Virginian and one of the most radical patriots of the American Revolution, was a passionate believer in state's rights. Henry refused to attend the Constitutional Convention in Philadelphia because, as he put it, "he smelt a rat." At the Virginia ratifying convention he spoke against approval of the new Constitution.

Edmund Pendleton, former governor of Virginia, emerged from retirement to lead the Federalists of his state in their fight for ratification. Virginia eventually approved the Constitution by a close vote, but only after the Federalists promised the addition of a bill of rights.

### Update

The Constitution balanced competing state and national interests by creating a federal system of government. Over the last 200 years, however, power has become increasingly centralized in the national government. Despite this trend, Americans continue to debate—and the national and state governments continue to clash over—the proper balance of governmental powers. This debate reached a new level of intensity when Ronald Reagan became President in 1981. The Reagan administration favored turning many federal programs over to the states to administer. Those who believe that the federal government is in a better position to oversee programs involving education, welfare, and civil rights have fought against what Reagan called the "new federalism."

# How Powerful Should the National Government Be?

**Patrick Henry, lawyer and politician,** delivered this speech at the Virginia state ratifying convention in 1788.

MR. CHAIRMAN, the public mind, as well as my own, is extremely uneasy at the proposed change of government. . . . A year ago, the minds of our citizens were at perfect repose. Before the meeting of the late federal Convention at Philadelphia, a general peace and a universal tranquillity prevailed in this country; but, since that period, they are exceedingly uneasy and disquieted. . . .

If our situation be thus uneasy whence has arisen this fearful jeopardy? It arises from this fatal system; it arises from a proposal to change our government—a proposal that goes to the utter annihilation of the most solemn engagements of the states. . . .

This proposal of altering our federal government is of a most alarming nature! . . . you ought to be extremely cautious, watchful, jealous of your liberty; for, instead of securing your rights, you may lose them forever. If a wrong step be now made, the republic may be lost forever. If this new government will not come up to the expectation of the people and they shall be disappointed, their liberty will be lost, and tyranny must and will arise. I repeat it again, and I beg gentlemen to consider that a wrong step made now will plunge us into misery, and our republic will be lost. . . .

And here I would make this inquiry of those worthy characters who composed a part of the late federal Convention . . . I have the highest veneration for those gentlemen; but, sir, give me leave to demand—What right had they to say, “We, the people”? . . . Who authorized them to speak the language of “We, the people,” instead of, “We, the states”? States are the characteristics and the soul of a confederation. If the states be not the agents of this compact, it must be one great, consolidated, national government of the people of all the states. . . .

The people gave them no power to use their name. That they exceeded their power is perfectly clear. . . .

The federal Convention ought to have amended the old system . . .

Let us take a review of the facts. New Hampshire and Rhode Island have refused to become federal. New York and North Carolina are reported to be strongly against it. From high authority give me leave to tell that New York is in high opposition. Will any gentleman say that North Carolina is not against it? . . .

Sir, without a radical alteration, the states will never be embraced in one federal pale. If you attempt to force it down men’s throats and call it union, dreadful consequences must follow. . . .

I am persuaded that one government cannot reign over so extensive a country as this is without absolute despotism. Compared to such a consolidation, small confederacies are little evils . . .

Mr. Chairman, the necessity of a Bill of Rights appears to me to be greater in this government than ever it was in any government before. . . .

It was expressly declared in our Confederation that every right was retained by the states, respectively, which was not given up to the government of the United States. But there is no such thing here. You, therefore, by a natural and unavoidable implication, give up your rights to the general government. . . .

If you give up these powers, without a Bill of Rights, you will exhibit the most absurd thing to mankind that ever the world saw—a government that has abandoned all its powers of direct taxation, the sword, and the purse. You have disposed of them to Congress, without a Bill of Rights—without check, limitation, or control.

***“I am persuaded that one government cannot reign over so extensive a country without absolute despotism.”***

Patrick Henry

Source: *The Annals of America*, Volume 3 (Chicago: Encyclopedia Britannica Inc., 1968).

# How Powerful Should the National Government Be?

**Edmund Pendleton**, *politician and judge, delivered this speech at the Virginia state ratifying convention in 1788.*

MR. CHAIRMAN, my worthy friend [Mr. Henry] has expressed great uneasiness in his mind and informed us that a great many of our citizens are also extremely uneasy at the proposal of changing our government . . .

. . . an objection is made to the form: the expression "We, the people" is thought improper. Permit me to ask the gentleman who made this objection, who but the people can delegate powers? Who but the people have a right to form government? . . .

If the objection be that the Union ought to be not of the people but of the state governments, then I think the choice of the former very happy and proper. What have the state governments to do with it? Were they to determine, the people would not, in that case, be the judges upon what terms it was adopted. . . .

[The Confederation] is no government at all. It has been said that it has carried us through a dangerous war . . .

Not that Confederation but common danger, and the spirit of America, were bonds of our Union . . . "United, we stand—divided, we fall!" echoed and reechoed through America—from Congress to the drunken carpenter . . .

It was the spirit of America, and not the Confederation, that carried us through the war . . .

[The Confederation] is wholly ineffectual for the purposes of its institution. Its whole progress since the peace proves it.

Shall we then, sir, continue under such a government, or shall we introduce that kind of government which shall produce the real happiness and security of the people? . . .

Government must then have its complete powers, or be ineffectual; a legislature to fix rules, impose sanctions, and point out the punishment of the transgressors of these rules an executive to watch over officers and bring them to punish-

ment; a judiciary to guard the innocent, and fix the guilty, by a fair trial. Without an executive, offenders would not be brought to punishment; without a judiciary, any man might be taken up, convicted, and punished without a trial. Hence the necessity of having these three branches.

. . . It is a government of laws, not of men. But it is represented to be a consolidated government, annihilating that of the states—a consolidated government, which so extensive a territory as the United States cannot admit of without terminating in despotism . . . Let us consider whether it be such a government or not. I should understand a consolidated government to be that which should have the sole and exclusive power, legislative, executive, and judicial, without any limitation. Is this such a government? Or can it be changed to such a one? It only extends to the general purposes of the Union. It does not intermeddle with the local, particular affairs of the states. Can Congress legislate for the state of Virginia? Can they make a law altering the form of transferring property, or the rule of descents, in Virginia? In one word, can they make a single law for the individual, exclusive purpose of any one state?

*"Shall we then, sir, continue under such an ineffectual government, or shall we introduce that kind of government which shall produce the real happiness and security of the people?"*

Edmund Pendleton

It is the interest of the federal [government] to preserve the state governments; upon the latter the existence of the former depends. The Senate derives its existence immediately from the state legislatures; and the representatives and the president are elected under their direction and control; they also preserve order among the citizens of their respective states, and without order and peace no society can possibly exist. . . . When, therefore, the federal government is, in so many respects, so absolutely dependent on the state governments, I wonder how any gentleman, reflecting on the subject, could have conceived an idea of a possibility of the former destroying the latter.

Source: *The Annals of America*, Volume 3 (Chicago: Encyclopedia Britannica Inc., 1968).

## GREAT DEBATES WORKSHEET 2

**Directions:** Use the information in the Unit 2 debate to answer the following questions. If necessary, use an additional sheet of paper.

### A. Comprehension

1. What issue is at the heart of the debate between Patrick Henry and Edmund Pendleton?  
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2. List three major objections to the Constitution made by Patrick Henry.  
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3. List three reasons Edmund Pendleton favors the ratification of the Constitution.  
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4. What is the most powerful point in each debater's argument?  
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### B. Critical Thinking

1. **Making Comparisons:** Compare and contrast how each debater would explain the phrase "consent of the governed."  
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2. **Identifying Issues:** How does Patrick Henry view the phrase "We, the people"?  
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3. **Drawing Conclusions:** How might each debater respond to the following proposal? "To improve education in America, the federal government will require all high school students to pass a national graduation exam."  
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4. **Recognizing Ideologies:** Patrick Henry was an early and vocal supporter of the American Revolution. Is there any connection between this position and his view of the proposed Constitution?  
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5. **Testing Conclusions:** Evaluate the arguments on both sides of the debate. Which side's arguments are most effective and convincing? Use specific reasons and examples to support your position.  
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