

Digital History

www.digitalhistory.uh.edu

[\[Close this Window\]](#)

Objections to the Constitution

Digital History ID 253

Author: Edmund Randolph

Date: 1787

Annotation:

Over the course of the Constitutional Convention, the delegates devised the fundamental principles that underlie the American framework of government: separation of powers, checks and balances, federalism, and judicial review. The system they created emerged gradually in response to certain deep-rooted concerns. Balancing the framers' republican faith in the people was a fear of direct democracy and the dangers posed by unchecked majorities. And balancing their desire to create an effective national government was a fear that a strong national government with the power to regulate trade and levy taxes would not truly be republican. The challenge the founders faced was to create a national government that would be both strong and effective and republican, a government that would not ultimately degenerate into anarchy or tyranny.

The only recent examples of republican-like societies--the Netherlands and Switzerland--were small, loosely-knit confederations. Many doubted that it was possible to have a large and diverse republican society with a strong central government. James Madison formulated an answer to this concern: He argued that in a large republic, difficulties of communication and a wide variety of interest groups would make it difficult to form an oppressive majority.

The Constitutional Convention was unable to achieve unanimous agreement on a plan of government. In this selection, Pierce Butler summarizes the objections that Edmund Randolph (1753-1813), a Virginia delegate, raised over the proposed Constitution. Randolph was one of three delegates (the other two were Elbridge Gerry (1744-1814) and George Mason (1725-1792)) who refused to sign the Constitution because they objected to the powers it granted to the federal government.

Document:

Objections to the Constitution as far as it has advanced

1st No privilege is given to the House of Representatives, which by the way are too few, in disposition of money; by way of counterbalance to the permanent condition of the Senate in the circumstances of duration, power, & smallness of number.

2d The expulsion of members of the Legislature is not sufficiently checked.

3d The inequality of voices in the Senate is too great.

4th The power of raising armies is too unlimited

5th The sweeping clause absorbs everything almost by constitution.

6th No restriction is made on a Navigation Act and certain regulations of Commerce.

7th The Executive is one.

8th The power of pardon is unlimited.

9th The appointment of officials will produce to great influence in the Executive

10th The jurisdiction of the Judiciary will swallow up the Judiciaries of the States.

11th Duties on exports are forbidden but with the approval of the General Legislature of the U.S.

Copyright 2012 Digital History