

# Convention Rules!

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a relic of the past, best appreciated from a distance. The men gathering in Philadelphia were a different breed of revolutionary.

The first salvo in this constitutional revolution came on Tuesday, May 29. Even before George Washington called the meeting to order, the East Room was abuzz with rumor and speculation. Although few knew with certainty, many of the delegates were convinced that the Virginia delegation intended to start the debate on the fate of the Confederation that very day.

The first order of business seemed to confirm rather than dispel the whispered speculations. George Wythe, known in his native Virginia as "Wythe the Just," rose to present the Rules Committee's recommendations on secrecy. Wythe's weather-beaten face was almost expressionless as he read off three simple, but hopefully effective, measures to insure absolute confidentiality for the convention proceedings. First, no one was allowed to make a copy of any entry in the convention journal being kept by Major Jackson without the presiding officer's permission. Second, no one but the delegates could have access to that journal. Finally, as Madison put it in his notes, "nothing spoken in the House [could] be printed, or otherwise published or communicated without leave." In short, secrecy was to be complete.

Later, delegates and supporters of the Constitution would produce a variety of explanations for these measures. Secrecy was essential, some said, to insure that foreign diplomats and observers, eager to report home to

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their governments on the health of the new Republic, would not be privy to the frank discussion of economic, political, and social problems plaguing the Confederation. Others pointed out that secrecy prevented a further blow to the morale of a public already anxious about the future of the nation and deeply divided as to the solution to its problems. But men with political experience had a different explanation. What had weighed most heavily on the minds of the delegates was not so much the dangers to the nation or to its citizens, but the danger to their own reputations and their own political futures. Even the least perceptive delegates knew there were risks in exposure. And even the most respected knew that they must, ultimately, answer to the state legislatures who sent them to Philadelphia. Who, then, wished to be on record supporting measures their local governments opposed? Who would dare to exceed or ignore his instructions if such independent actions were made public? Who would vote "yea" on overthrowing the government if the newspapers carried word of this the next day? No, it was clear that what was said in Independence Hall must not be heard outside the shuttered windows and locked doors. Without secrecy, there would be no honest discussion of the issues. Without honest discussion, there would be no solution to the crisis facing the nation.

If seasoned politicians understood the delegates' desire for secrecy, not all of them approved of it. Thomas Jefferson was appalled by the wall of silence the convention had constructed. He considered the "tying up the tongues of their members" an "abominable precedent."

Rules

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"Abominable" it might be, but the closed windows, locked doors, and carefully regulated journal of events were not new to American political deliberations. The Continental Congress had conducted several of its debates in secrecy, and there were state constitutions that owed their creation to sessions in which political figures felt free to speak their minds "without censure or remark."

The real question was not, was secrecy essential?—but, would it be possible? Could delegates resist the impulse to rehash the day's debate each evening as they gathered in Philadelphia's public taverns? Could a delegate be counted on to censor his comments in a letter home to a wife, son, or brother? Could men who saw their proposals voted down or their objections ignored keep their tongue in conversations with sympathetic friends and acquaintances? Surprisingly, self-preservation, if not true discretion, worked its magic on the delegates. Rumors might fly, speculations might multiply, but the proceedings of the convention remained confidential throughout the summer.

No sooner had George Wythe's report been approved, then another member of the Virginia delegation, Governor Edmund Randolph, rose from his seat. Randolph struck a perfect note of humility and sincerity as he made clear to the convention that he was not the author of the proposals he was about to present; he was only their messenger. The author himself sat at his table at the front of the room, no doubt aware that all eyes were upon him.

Slowly, Randolph began. He recited a familiar litany of the Confederation's many flaws and failures: the inadequacies of the requisitions system; the threat of social

anarchy; the embarrassment of unpaid foreign debts; the violations of treaties, by foreign nations and even by some of the states; and the havoc produced by paper money. Perhaps his gentlemanly upbringing prompted Randolph to add that the authors of the Articles of Confederation must not be held responsible for these failings. Perhaps the sight of the man who first drafted those articles, John Dickinson, sitting stoically at the Delaware table, prompted Randolph's effort at absolution. Perhaps both motives were at play. But if it was true that no one was to blame, he continued, it was also true that the nation was in crisis. As Randolph drew a gloomy picture of a federal government unable to secure its borders, compete for commercial footholds in world trade, check the quarrels between states, or quell domestic rebellions, the specter of ruin and humiliation menaced the East Room. It was this specter that Virginia's political leaders had faced, unflinchingly, Randolph declared proudly, and it was this specter that the Virginia plan he now lay before the convention was designed to dispel.

With that, Randolph offered up the fifteen resolutions that amounted to a constitutional revolution. Although the first of these called only for the Articles of Confederation to be "corrected & enlarged," the fourteen that followed, if adopted, would correct and enlarge the Confederation into a completely different government. Virginia had thrown down the gauntlet to the supporters of the Confederation and issued the call to arms for the nationalists. They would learn who was whom on the following day.