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| http://america.eb.com/bcom/images/dot.gif | |  | | --- | | **The Interest of the Few and the Rights of the Many** | | [1788](http://america.eb.com/america/timeline?year=1788) |  |  | | --- | | http://america.eb.com/bcom/images/dot.gif | | http://america.eb.com/bcom/images/dot.gif | | [**E-mail this document**](http://america.eb.com/america/email/article?email_type=625&articleId=385364) [**Print this document**](http://america.eb.com/america/print?articleId=385364) [**Cite this document**](http://america.eb.com/america/article?articleId=385364#cite) | | http://america.eb.com/bcom/images/dot.gif | | http://america.eb.com/bcom/images/dot.gif |   **Introduction**  *John F. Mercer of Maryland spent only two weeks at the Philadelphia Convention and returned home a determined anti-Federalist. He was not present during the debates in which many of the doubts about the proposed form of government were whittled away, and he remained a rigid opponent of the new Constitution. According to Madison's notes, Mercer expressed to the convention “his dislike of the whole plan, and his opinion that it could never succeed.” The following selection, an effort to dissuade the states from ratifying the Constitution, is possibly by Mercer, although doubt has been thrown on his authorship of it. In any event, it reflects his views and those of others who flatly opposed the Constitution.*  Source: Historical Society of Pennsylvania, Etting Collection, “Members of Old Congress,” Vol. II, p. 93.  *To the Members of the Conventions of New York and Virginia*  Gentlemen:  The galling chains of despotism under the oppressive weight of which nine-tenths of our fellow mortals groan — the tortures which unfeeling tyranny has invented and fearlessly practised in every age and every clime — are melancholy and terrifying proofs of the incapacity of the many to defend those rights which God and nature gave them from the artful and unceasing usurpations of the few. And they are frightful lessons to teach us a watchful jealousy of great and unnecessary grants of power and of changes in a state of society which we know to be mild and free. Still there are moments of national languor and lethargy which the ambitious, ever enterprising, mark with alacrity and use with success.  The people, long unaccustomed, in a good and guarded government, to bold and selfish designs in their rulers, look up with an unsuspicious confidence to any alteration which those entrusted with power may propose. However unconstitutional the changes, if recommended by men used to govern them, they seem to come forward under the sanction of legal authority. [This is especially so if the changes are] prepared in secrecy, the public mind taken by surprise and every engine previously set in motion, [and if] the unconceited and unconnected defense of individuals is branded with the opprobrious epithet of opposition and overwhelmed in the directed tide of popular clamor — a clamor which a number of wealthy men may at all times command at a small expense from the most indigent of the populace.  We forbear to remark on the manner in which the Constitution proposed for the United States came forward. As the circumstances are known to you, your own feelings will render any observations unnecessary.  The object of our present address is to prevent your forming unjust conclusions from the adoption of the Constitution in the state of Maryland by so large a majority of the convention and the subsequent dissolution of that body without proposing any amendments.  Permit us to assure you that the torrent which burst forth at the birth of the Constitution had but little effect on the minds of many of us. And although it might prevent our having that weight with our countrymen, in the first paroxysms of frenzy which forever accompany great and sudden revolutions in government, we were yet determined not to be wanting in our duty to the republic at that moment when reason should resume her empire over the unagitated minds of our fellow citizens. From many circumstances we despaired of this in Maryland until the adoption of the Constitution. At that period, when our efforts could not be subjected to calumniating misrepresentation, we expected that an appeal to the reflection of our countrymen would be listened to with attention and produce those effects which unanswered and unanswerable reasons ought to command.  All opposition being thus postponed and every necessary step to inform the minds of our citizens on one side neglected, while unremitting exertions by a number of wealthy and respectable characters were continued on the other, it cannot be surprising that the elections were generally favorable to the Constitution. In a very few of the counties did any candidates propose themselves against it. Very few voted and, even in those counties where the opposition succeeded by such a decided majority, those gentlemen's offering was merely accidental. They had refused every solicitation of the people and had actually determined not to serve in convention until within six days before the election.  That the people of the state would have made alterations and amendments a condition of adoption is a question which, from the above circumstances, it is impossible to decide; but that four-fifths of the people of Maryland are now in favor of considerable alterations and amendments, and will insist on them, we don't hesitate to declare (as our opinion) to you and the world. …  We are persuaded that the people of so large a continent, so different in interests, so distinct in habits, cannot in all cases legislate in one body by themselves or their representatives. By themselves, it is obviously impracticable. By their representatives, it will be found, on investigation, equally so; for if these representatives are to pursue the general interest without constitutional checks and restraints, it must be done by a mutual sacrifice of the interests, wishes, and prejudices of the parts they represent — and then they cannot be said to represent those parts, but to misrepresent them. Besides, as their constituents cannot judge of their conduct by their own sense of what is right and proper, and as a representative can always in this view screen his abuse of trust under the cloak of compromise, we do not see what check can remain in the hands of the constituents — for they cannot know how far the compromise was necessary and the representative wrong. And to turn out and disgrace a man when they cannot prove him wrong, and when he will have of course the voice of the body he is a member of in his favor, would in the event be found subversive of the principles of good government.  Thus, then, the pursuit of the general interest produces an unchecked misrepresentation; but if representatives are to pursue the partial interests of the districts they represent (which to recommend themselves to their constituents it is most probable they will do), then the majority must ruin the minority, for the majority will be found interested to throw the burdens of government upon that minority, which in these states present a fair opening by difference of cultivation, importation, and property.  In such extensive territories, governed by one legislature, the experience of mankind tells us that, if not by preference, the people will at least be led gradually to confide the legislative power to the hands of one man and his family who alone can represent the whole, without partial interests, and this is or leads to unlimited despotism.   |  |  |  | | --- | --- | --- | | http://america.eb.com/bcom/images/dot.gif | http://america.eb.com/bcom/images/dot.gif | **To cite this page:**  " The Interest of the Few and the Rights of the Many,"*Annals of American History.*  <[**http://america.eb.com/america/article?articleId=385364**](http://america.eb.com/america/article?articleId=385364)> [Accessed November 5, 2015]. |   [http://america.eb.com/bol/backtotop_arrow.gifBack to top](http://america.eb.com/america/article?articleId=385364#TOP) | http://america.eb.com/bcom/images/dot.gif |
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