

1787 the Grand Convention

John D. Lewis

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1787: The Grand Convention. By CLINTON ROSSITER. New York: The Macmillan Co. 1966. Pp. 443. \$7.95.

Professor Rossiter's most recent book is a lively and enthusiastic study of the Philadelphia Convention. It describes the men who met at Philadelphia, their social backgrounds, the America and the sections of America that they represented, and the interests—political, ideological, professional, economic—that influenced them; it analyzes the course of their debates; it emphasizes their remarkable achievement in drafting a Constitution that virtually all could accept though none could fully approve; and it explains their roles in the contest for ratification and their share, together with many of those who were anti-Federalists in 1787-88, in launching the new government.

One might agree that 1787 was beyond doubt "the most fateful year in the history of the United States"¹ and still ask why yet another book on the making of the Constitution should be needed. Rossiter's answer is that men of the 1960's are bound to think differently about the Constitution from men of 1940 or 1950; one might add that they are bound to think even more differently from men of 1913-40. Rossiter points out that, for a generation of Americans whose long-established confidence in the practical value of their own form of government is widely challenged, the making of the Constitution provides "a classic case-study in the political process of constitutional democracy;"² that, as "a self-conscious act of successful nation-making," it offers "at least a few hard lessons" which are relevant to the contemporary problems of new emerging states; that it also offers an encouraging answer to the general problem, "an intense concern of the present age," of man's ability to control his destiny.³ From his viewpoint, this "case-study" shows a group of "superb politicians" at work on the task of nation-building at a time when conditions were ripe for a bold stroke of policy, but when the nature of that policy was still to be determined. "The Framers," he insists, "slaped history as no other group of Americans has ever done exactly because they forced a choice that did not have to be made . . ." ⁴ Those who know Rossiter's earlier books will add another justification for this new book on the making of the Constitution: he is eminently qualified to reassess the work of the men of 1787 and its significance for the future of America.

Over half the book deals with the members of the Convention and with the Convention itself. Once more one is impressed by the training, experience, and high intellectual quality of the Framers. About half of them had earned college degrees; several were the recipients of honorary degrees; about three dozen had some legal training; several had studied at the Inns of Court; forty-two had served in Congress; all but three had served as officers of colonial or state governments. As a group, they were distinguished, too, by an *esprit de corps* that had developed not only from common experiences in the Revolution, in Congress, and in state governments, but also from the common ideology that underlay their thinking about practical problems of government.

Rossiter is well aware of the class structure of America in this period and

¹ Rossiter, *1787: The Grand Convention* 11 (1966).

² *Id.* at 40.

³ *Id.* at 17.

⁴ *Id.* at 19.

declines to follow those historians who try "to cram almost all Americans of the new Republic into one big happy middle class . . ."⁵ Accepting Forrest McDonald's identification of "major economic areas," he concludes that, with one important exception, the Convention "was a reasonably accurate projection of the American pattern of settled living in 1787."⁶ In explaining the exception—the inadequate representation of the back country regions of populous and important states—he emphasizes, among other reasons, the isolation of back country dwellers, which tended to make them apathetic or suspicious of a distant government they could not hope to control. None of the "many lines dividing the Americans of 1787 into groups or classes" were so sharp, Rossiter asserts, "as that between the involved and the isolated, the necessarily concerned and the fortuitously indifferent, the men who lived in cities and along lines of communication and therefore were in society and the men who lived by themselves and therefore were not."⁷ This distinction between "the involved" and "the isolated" is certainly a more useful key to the struggle over ratification of the Constitution than the simple Beardian thesis of economic motivation.

Rossiter's skillfully constructed account of the debates at Philadelphia and of the arduous progress toward agreement brings out the major issues in dispute and the shades of difference among the delegates; it is enlivened by dramatic illustrations, but unencumbered by excessive detail. Rossiter agrees with James Madison that the early procedural decision to maintain the secrecy of the debates was essential to the success of the Convention. In spite of bitter anti-Federalist denunciation of the "mask of secrecy," it is clear that the adjustments and compromises that made the Constitution possible could not have been made if the members had been compelled to assert and defend publicly their divergent views on matters of deep concern to their constituents. (It is also clear that a "second convention," demanded by some anti-Federalists, would have been a disaster.)

Though Rossiter regards the members of the Convention as a heroic group, he is well aware that they had human weaknesses and individual concerns. He finds it impossible to explain the disappointing behavior at Philadelphia of "that celebrated truant," Alexander Hamilton, who had done so much to bring the Convention about and who contributed so little to the drafting of the Constitution. He does not excuse the stubborn persistence of James Madison and James Wilson in views which, had they prevailed fully, would have destroyed the chance of ratification in most states. He deals frankly with the tough problems that were left unresolved, as well as with those that were solved. Of the unsettled problems, the toughest surely was the question of slavery, on which the Convention failed to take significant positive action. One cannot challenge Rossiter's opinion that, however incompatible the institution of slavery was with the dominant political ideology, the Convention could not have done more about it than it did; it is noteworthy that its failure to take a more decisive stand against slavery was not, among the anti-Federalists, a major subject of complaint.

An interesting feature of this book is its author's willingness to speculate about

⁵ *Id.* at 31.

⁶ *Id.* at 139.

⁷ *Id.* at 27.

conceivable alternatives. Rossiter suggests that, if a dozen representatives of the apathetic and suspicious back countrymen who later opposed the ratification of the Constitution had turned up at Philadelphia and then "stuck to their guns," "it is hard to see how Madison and his friends could have pieced together a nationalist charter."⁸ The fact is, of course, that they did not turn up; whether, if they had turned up, they would have stuck to their guns—as only a handful of the actual delegates did—remains a question. Rossiter also observes that a second team of delegates could have been found who would have been "equally respectable" in "ability, integrity, and patriotism" and, except for the lack of Franklin and Washington, of equal prestige with the actual members. He names distinguished Americans who might have made up such a second team; the list is indeed an impressive one. He also suggests that if Jefferson, John Jay, John Adams, and Richard Henry Lee had been added to the actual membership of the Convention the result would not have been different.⁹ This is a plausible speculation; it underscores Rossiter's insistence that the ingredients of American nationalism were widely available, that America had already moved "far towards nationhood in its institutions and emotions,"¹⁰ and that there was spread through the states "an extraordinary political elite," which was by no means exhausted by drawing off the members of the Convention.

This insistence is obviously relevant to Rossiter's initial suggestion that the American experience may provide some "hard lessons" for present emerging nations but cannot be a model for them. He does not, however, attempt to draw specific parallels or analyze the great differences between the eighteenth-century American case and the problems of contemporary nation-making. To demand this would be to demand too much; but let us hope that students of developing nations will profit from Rossiter's painstaking analysis and carry on where he leaves off.

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⁸ *Id.* at 240.

⁹ *Id.* at 149-50, 253.

¹⁰ *Id.* at 40.

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