



## 224th Anniversary of the Ratification of the Constitution

Two hundred and twenty-four years ago, on June 21, 1788, after three days of debate and by a final vote of 57-47, members of the New Hampshire convention voted to ratify the Constitution drafted the previous year in Philadelphia. With that historic vote, the Constitution was officially ratified, having been approved by the nine states — the number required by Article VII for the establishment of the Constitution.



Four days later, Virginia ratified the Constitution by a vote of 89-79, narrowly defeating an alternative motion made by the incomparable Patrick Henry to delay ratification until other states had time to submit and consider amendments to the Constitution. Although it was unsuccessful in persuading his fellow delegates to hold off on ratification, Henry's impassioned speech is remembered for having concluded during a violent thunderstorm.

Federalists (those who supported the new Constitution) were so happy with the results of the convention that they sent word of New Hampshire's ratification by express rider to the convention taking place at the same time in New York.

As with many other states (including the key states of Virginia and New York), the delegates to the New Hampshire ratifying convention voted in favor of the Constitution provided that the first Congress would consider a slate of proposed amendments. The Virginia convention, for example, recommended consideration of 40 such amendments.

Finally, on July 2 of that year, the Continental Congress received the New Hampshire act of ratification and immediately appointed a committee to draft a measure for putting it into effect by holding elections for the new government.

What is often overlooked today is the war of ideas that occurred between the signing of the Constitution on September 17, 1787 and New Hampshire's ratification more than nine months later. Federalists and Anti-federalists presented their respective cases to the people.

Within 10 days of the conclusion of the Constitutional Convention of 1787, a letter was printed in the *New York Journal* urging the people of that state to reject the new compact. The author of the letter used the pseudonym "Cato"; however, many believed that Governor George Clinton of New York was the man behind the Latin disguise. This letter was the genesis of a series of letters aimed at convincing the people of the states (chiefly New York and Virginia) to either ratify or reject the product of the Philadelphia Convention.

The authors of the [letters advocating rejection of the Constitution](#) wrote under several noms de plume: "Federal Farmer," "Brutus," the previously mentioned "Cato," "Centinel," and "John DeWitt" among others. Some opponents of the new Constitution, such as Revolutionary War hero Patrick Henry and the brilliant orator Melancton Smith, chose not to sail under disguised colors and boldly delivered impassioned speeches in the state conventions. Whether author or orator, the men associated with the movement to reject the ratification of the new Constitution came to be known as Anti-federalists. This



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was not a moniker they would have chosen for themselves and indeed they never referred to themselves by this title.

Those who worked in favor of ratification of the national compact resulting from the Constitutional Convention took upon themselves the name Federalists. "Federal" was a popular name and by adopting it as a title, the supporters of the new Constitution framed the debate in light very favorable to themselves. Letters in answer to the anti-federal [letters were written and published in four New York newspapers under the pseudonym "Publius."](#) "Publius" was a classical Latin title thinly veiling the identity of the true authors: Alexander Hamilton, James Madison, and John Jay. These essays appeared three or four times a week between October 27, 1787 and April 2, 1788.

Throughout the fall of 1787 and until the early summer of 1788, the letters of "Publius," "Cato," "Brutus," and the rest appeared in newspapers in New York and Philadelphia and were reprinted throughout the country. The ratification conventions were called and the arguments for and against were heard and discussed in this dramatic milieu of parchment warfare. One by one the states began to report the decisions of their conventions.

Delaware, Pennsylvania, and New Jersey were the first to ratify, followed by Georgia, Connecticut, and Massachusetts. These first six were followed by Maryland and South Carolina. The ratification hung in the balance until the previously discussed deciding vote was cast in New Hampshire on June 21, 1788.

After the defeat of Patrick Henry's motion and Virginia's subsequent ratification, the New York convention voted 30-27 (with at least 5 Anti-federalists voting with the Federalists) to approve the Constitution. Virginia and New York were followed much later by North Carolina in November 1789 and reluctant Rhode Island in May 1790, a full two years after Delaware entered the new union.

It should be well understood that Federalist and Anti-federalist alike favored limited government that acted according to the will of the people. The difference between these parties (although they would not have described themselves as partisans) was one of degree: The Federalists favored a stronger, more dynamic national government while the Anti-federalists desired a union where the states would be the dominant force in the federal configuration. Curiously, these differences became more marked in the years that followed the ratification of the Constitution and the resulting fissure that appeared eventually ripped the fabric of the union in two pieces: North and South.

Two hundred and twenty-four years have passed since New Hampshire became the ninth and deciding state to ratify the Constitution. Remarkably, the debate continues over the future of this Republic. Shall we empower the states with broader influence or should the national government be given greater sway over the lives of the people? Will the states and the citizens thereof stand boldly in defense of their natural sovereignty and resist the near-constant encroachments of a federal authority gathering all power unto itself? Will the federal government be permitted to succeed in its nearly unchallenged march toward the absolute abolition of state sovereignty?

In order to answer those questions, students of history and friends of our Constitution must remember that the strategy of the Anti-federalist critics of the Constitution was not to scupper the work of the Constitutional Convention; rather they insisted on a few subtractions and additions before they would sign off on the equation.

Federalists countered that the Constitution was the expression of ancient and settled principles of political science and that as it afforded the federal government only very limited powers, additional impediments to federal encroachment on state and popular sovereignty were redundant and thus



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unnecessary.

At last, the smoke cleared and both sides walked away from the battlefield having ceded some territory and conquered other. Ultimately, a Bill of Rights (in the form of the first 10 amendments) was appended to the Constitution explicitly stating that the federal government was granted a very limited roster of powers and that any power not expressly delegated to the central government was retained by the states.

Regardless of their disagreements at the founding of our nation, even a perfunctory study of the participants in the historical events briefly outlined in this essay would unquestionably reveal that none of these men, from the fiercest Federalist to the most ardent Anti-federalist, could have anticipated the size and scope of the power wielded by the national government they once debated.

*Illustration: "Scene at the Signing of the Constitution of the United States," by Howard Chandler Christy. The Philadelphia convention was concluded September 17, 1787, nine month's before New Hampshire's ratification).*



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