

Essay by a [Maryland] Farmer No. 5 (1788)

John Francis Mercer (Likely)

Historical Background

After the Constitutional Convention adjourned in September of 1787 the ratification process began. The proposed Constitution would not come into effect until it was ratified by at least nine states. Yet some delegates at the Constitutional Convention returned to their states convinced that the Constitution was both unduly radical and unlikely to meet the needs of the new nation. John Francis Mercer, from Maryland, was one of those delegates. Mercer seemed displeased with nearly every feature of the proposed Constitution: its lack of a bill of rights, its tendency toward aristocracy, the lack of power and independence of the president, and a host of other features, all of which he took to be defects. Because of this, Mercer became one of the foremost opponents of ratification in Maryland.

Historical Significance

The essay by “A [Maryland] Farmer” straightforwardly and directly argues that the proposed Constitution and the regime it would bring into being is defective, not just in particular clauses or powers, but fundamentally. While other Anti-federalists quibbled over the amount or the character of the representation that the Congress would provide the American people, Mercer went further. In this essay he rejects representative government as the best form of government, advocating instead the form of government practiced by the Swiss, a direct democracy in which each citizen is a “legislator by birth.” He denies that the situations of the Swiss and Americans are different at all. Thus he thinks a simple and democratic government is the best possible government for America. While the triumph of the idea of representative government in the Founding and subsequent American political development has been complete, it is important to investigate arguments for other types of political communities, even if those arguments did not prevail.

Key Concepts and Learning Objectives

Concepts: mixed government; “permanent orders of society;” direct democracy; republicanism; representation; simple government

Learning objectives: On completion of this unit, students will be able to:

- define and describe the difference between direct democracy and representative government;
- define and describe the advantages and disadvantages of each type of government;

- describe Anti-Federalist critiques of the Constitution;
- anticipate or predict Federalist responses to those critiques.

Questions to Explore

One difference between classical and modern republics is the widespread modern acceptance and practice of representation. Representation has been urged for reasons of expedience – it simply isn't possible for all the people of the United States to meet and make laws – and for reasons of good governance – people can choose representatives that are better able to discern the best interest of the country as a whole than the people themselves. How would “A Maryland Farmer” respond to those two arguments? To what extent do you think his counterarguments would be successful? What rejoinder can you make to his counterarguments?

“American Exceptionalism” is a somewhat loaded term that implies that in many ways America exists without peer or comparison in the world. “A Maryland Farmer” suggests on the contrary that America is no exception to the forces that have caused all nations except Switzerland to lose their liberty. In fact he suggests that a proper American government would model itself on the Swiss example. To what extent should the people or government of the United States guide itself by what is done in other nations? Can you think of ways in which we might do this too much—or too little?

“A Maryland Farmer” insists that a complex government will by its very complexity endanger the fundamental rights of the people. This is a somewhat different concern than that of the classical republican writers who argued that a government departing from simple republican principles would lead to a corruption of virtue of the citizens and a subversion of the common good. What is the relationship between virtue, rights, and the common good according to “A Maryland Farmer?” What view of the ultimate purpose of government is implicit in his arguments? What do you think of these judgments?