Mercy Otis Warren (1728-1814) was an American poet, historian, and dramatist whose brother James Otis was an important activist in the American Revolution. Though Mercy received no formal schooling, she benefited from her proximity to political leaders and managed to glean some knowledge from her brothers' tutors. She married James Warren, who was speaker of the Massachusetts House of Representatives. Warren along with her friend Abigail Adams, believed that women suffered not so much from inferior intellect as from insufficient opportunities to develop their capacities. She urged, unsuccessfully, that equal rights for women be included in the U.S. Constitution. Her “Observations on the New Constitution” (written in 1788) outlined her objections to the Constitution, which were typical of the time for those who rejected the need for a more powerful central government. Most of the problems she outlined were alleviated with the ratification of the Bill of Rights (the first 10 amendments to the Constitution) that were added in 1791, just two years after the constitution was ratified in 1789.

All writers on government agree, and the feelings of the human mind witness the truth of these political axioms, that man is born free and possessed of certain unalienable rights that government is instituted for the protection, safety and happiness of the people, and not for the profit, honour, or private interest of any man, family, or class of men -- That the origin of all power is in the people, and that they have an incontestable right to check the creatures of their own creation, vested with certain powers to guard the life, liberty and property of the community: And if certain selected bodies of men, deputed on these principles, determine contrary to the wishes and expectations of their constituents, the people have an undoubted right to reject their decisions, to call for a revision of their conduct, to depute others in their room, or if they think proper, to demand further time for deliberation on matters of the greatest moment: it therefore is an unwarrantable stretch of authority or influence, if any methods are taken to preclude this peaceful and reasonable mode of enquiry and decision. And it is with inexpressible anxiety, that many of the best friends of the Union of the States to the peaceable and equal participation of the rights of nature, and to the glory and dignity of this country, behold the insidious arts, and the strenuous efforts of the partisans of arbitrary power, by their vague definitions of the best established truths, endeavoring to envelope the mind in darkness the concomitant of slavery, and to lock the strong chains of domestic despotism on a country, which by the most glorious and successful struggles is but newly emancipated from the spectre of foreign dominion.

But there are certain seasons in the course of human affairs, when Genius, Virtue, and Patriotism, seems to nod over the vices of the times, and perhaps never more remarkably, than at the present period; or we should not see such a passive disposition prevail in some, who we must candidly suppose, have liberal and enlarged sentiments; while a supple multitude are paying a blind and idolatrous homage to the opinions of those who by the most precipitate steps are treading down their dear bought privileges; and who are endeavouring by all the arts of insinuation, and influence, to betray the people of the United States, into an acceptance of a most complicated system of government; marked on the one side with the dark, secret and profound intrigues, of the statesman, long practiced in the purlieus of despotism; and on the other, with the ideal projects of young ambition, with its wings just expanded to soar to a summit, which imagination has painted in such gawdy colours as to intoxicate the inexperienced votary, and to send him rambling from State to State, to collect materials to construct the ladder of preferment.
2. There is no security in the proffered system, either for the rights of conscience or the liberty of the Press: Despotism usually while it is gaining ground, will suffer men to think, say, or write what they please; but when once established, if it is thought necessary to subserve the purposes, of arbitrary power, the most unjust restrictions may take place in the first instance, and an imprimatur on the Press in the next, may silence the complaints, and forbid the most decent remonstrances of an injured and oppressed people.

3. There are no well defined limits of the Judiciary Powers, they seem to be left as a boundless ocean, that has broken over the chart of the Supreme Lawgiver, thus far shalt thou go and no further, and as they cannot be comprehended by the clearest capacity, or the most sagacious mind, it would be an Herculean labour to attempt to describe the dangers with which they are replete.

4. The Executive and the Legislative are so dangerously blended as to give just cause of alarm, and everything relative thereto, is couched in such ambiguous terms in such vague and indefinite expression, as is a sufficient ground without any objection, for the reprobation of a system, that the authors dare not hazard to a clear investigation.

8. As the new Congress are empowered to determine their own salaries, the requisitions for this purpose may not be very moderate, and the drain for public moneys will probably rise past all calculation: and it is to be feared when America has consolidated its despotism, the world will witness the truth of the assertion that the pomp of an Eastern monarch may impose on the vulgar who may estimate the force of a nation by the magnificence of its palaces; but the wise man judges differently, it is by that very magnificence he estimates its weakness. He sees nothing more in the midst of this imposing pomp, where the tyrant sets enthroned, than a sumptuous and mournful decoration of the dead; the apparatus of a fastuous funeral, in the centre of which is a cold and lifeless lump of unanimated earth, a phantom of power ready to disappear before the enemy, by whom it is despised.

9. There is no provision for a rotation, nor anything to prevent the perpetuity of office in the same hands for life; which by a little well timed bribery, will probably be done, to the exclusion of men of the best abilities from their share in the offices of government. By this neglect we lose the advantages of that check to the overbearing insolence of office, which by rendering him ineligible at certain periods, keeps the mind of man in equilibrium, and teaches him the feelings of the governed, and better qualifies him to govern in his turn.

10. The inhabitants of the United States, are liable to be dragged from the vicinity of their own country, or state, to answer the litigious or unjust suit of an adversary, on the most distant borders of the Continent: in short the appellate jurisdiction of the Supreme Federal Court, includes an unwarrantable stretch of power over the liberty, life, and property of the subject, through the wide Continent of America.

11. One Representative to thirty thousand inhabitants is a very inadequate representation; and every man who is not lost to all sense of freedom to his country, must reprobate the idea of Congress altering by law, or on any pretense whatever, interfering with any regulations for time, places, and manner of choosing our own Representatives.

12. If the sovereignty of America is designed to be elective, the circumscribing the votes to only ten electors in this State, and the same proportion in all the others, is nearly tantamount to the exclusion of the voice of the people in the choice of their first magistrate. It is vesting the choice solely in an aristocratic junta, who may easily combine in each State to place at the head of the Union the most convenient instrument for despotic sway.

13. A Senate chosen for six years will, in most instances, be an appointment for life, as the influence of such a body over the minds of the people will be coequal to the extensive powers with which they are vested, and they will not only forget, but be forgotten by their constituents a branch of the Supreme Legislature thus set beyond all responsibility is totally repugnant to every principle of a free government.
14. There is no provision by a bill of rights to guard against the dangerous encroachments of power in too many instances to be named: but I cannot pass over in silence the insecurity in which we are left with regard to warrants unsupported by evidence. The daring experiment of granting *writs of assistance* in a former arbitrary administration is not yet forgotten in the Massachusetts; nor can we be so ungrateful to the memory of the patriots who counteracted their operation, as so soon after their manly exertions to save us from such a detestable instrument of arbitrary power, to subject ourselves to the insolence of any petty revenue officer to enter our houses, search, insult, and seize at pleasure. We are told by a gentleman of too much virtue and real probity to suspect he has a design to deceive. That the whole constitution is a declaration of rights, but mankind must think for themselves, and to many very judicious and discerning characters, the whole constitution with very few exceptions appears a perversion of the rights of particular states, and of private citizens. But the gentleman goes on to tell us, *that the primary object is the general government, and that the rights of individuals are only incidentally mentioned, and that there was a clear impropriety in being very particular about them.* But, asking pardon for dissenting from such respectable authority, who has been led into several mistakes, more from his predilection in favour of certain modes of government, than from a want of understanding or veracity. The rights of individuals ought to be the primary object of all government, and cannot be too securely guarded by the most explicit declarations in their favor. This has been the opinion of the Hampdens, the Pyms, and many other illustrious names, that have stood forth in defense of English liberties; and even the Italian master in politics, the subtle and renown Machiavelli acknowledges, that no republic ever yet stood on a stable foundation without satisfying the common people.

**TSQ [TEXT SPECIFIC QUESTION]**

If you were an early American, which parts of Mercy Otis Warren’s argument would have most convinced to you to withdraw or reduce your support for adoption of the “new” constitution? Pick three and explain your reason for each.

**A.P.P.A.R.T.S.**

**Directions:** Use the A.P.P.A.R.T.S. questions to help you write 2-3 COMPLETE SENTENCES for each number about the document in question besides the summary paragraph.
Note: Please use a SEPARATE PIECE OF PAPER!

1. **AUTHOR**
   - Who created the source?
   - What do you know about the author?
   - What is the author’s point of view?

2. **PLACE & TIME**
   - Where and when was the source produced?
   - How might this affect the meaning of the source?

3. **PRIOR KNOWLEDGE**
   - What information do you already know about this topic?
   - What did you learn from your text, readings, and class activities about this topic?
   - What else do you need to understand this source?

4. **AUDIENCE**
   - For who was the source created?
   - How does this affect the credibility (is it trustworthy?) of the source?

5. **REASON**
   - Why was this source produced at this time?
   - What were the reasons this document was made by that particular author?

6. **THESIS STATEMENT & QUOTATIONS**
   - Create a THESIS STATEMENT (a short statement, usually one sentence, which summarizes the main point or claim of document and is explained in the text that follows by examples and evidence) about the document in question using information from the document.
   - Provide 3 QUOTATIONS which provide evidence from the text for the thesis statement you have created.

7. **SUMMARY**
   - WRITE A PARAGRAPH (5-8 sentences) SUMMARIZING THE MAIN IDEAS AND KEY DETAILS OF THIS SOURCE!

**FINAL QUESTION:** If you were an early American, which parts of Mercy Otis Warren’s argument would have most convinced you to withdraw or reduce your support for adoption of the “new” constitution? Pick three and explain your reason for each.