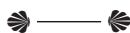


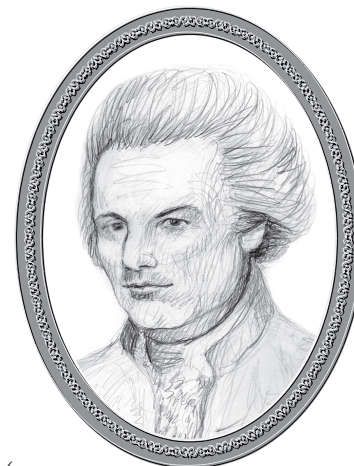
CHARLES PINCKNEY (1757–1824)

We may congratulate ourselves with living under the blessings of a mild and equal government, which knows no distinctions but those of merits or talents—under a government whose honors and offices are equally open to the exertions of all her citizens, and which adopts virtue and worth for her own, wheresoever she can find them.

—Charles Pinckney, May 14, 1788, at the South Carolina Ratifying Convention



The room fell silent as the president of the Constitutional Convention called the delegates to order. A new article was read. Almost immediately, a familiar voice filled the hall. Charles Pinckney was, once again, sharing his opinion. He had a view on everything, as the delegates knew well. Many at the Convention distrusted Pinckney, thinking he was too young, too proud, and too ambitious. No one, however, would deny his contributions to the Constitution or to the continuing debate about slavery.



Background

Charles Pinckney was born on October 26, 1757, near Charles Town (now Charleston), South Carolina. His father was a well-known lawyer and slaveholding planter whose wealth made it possible for young Pinckney to study languages and the law from local tutors. Pinckney had hoped to continue his studies in England, as his cousins Thomas and Charles Cotesworth Pinckney had, but the American Revolution changed his plans.

Forced to remain in South Carolina, Pinckney studied in his father's office and was admitted to the bar in 1779. Election to the South Carolina Assembly quickly followed. At the same time, he joined the militia and fought in losing battles against the British in Savannah and Charleston. When his city surrendered, he became a prisoner of war but was released in the summer of 1781, a few months prior to the great American victory at Yorktown.

Representative Pinckney

By 1784, Pinckney was back in Philadelphia. For the next two years, he sat as a representative of South Carolina in the new Confederation Congress. He soon became convinced that the Articles of Confederation were flawed. He saw firsthand their weaknesses and concluded that the growing nation needed a strong central government. Without one, he believed that established foreign powers would not give financial or political credit to the new country.

In May 1786, Pinckney suggested revising the Articles. He was named to a new committee for revision and drafted most of the amendments proposed. But Pinckney then went further and advocated a “general convention of the states for the purposes of increasing the powers of the federal government and rendering it more adequate for the ends for which it was ratified.” By the fall of 1787, however, he acknowledged the need to create a completely new form of government.

Constitution Charlie

When the Constitutional Convention was organized in Philadelphia in 1787, South Carolina sent Pinckney as one of her four delegates. Twenty-nine years of age, he was one of the youngest men there. Many considered him too vain and ambitious. Nevertheless, he was one of the most active participants in the proceedings, speaking more than one hundred times. Pinckney was eager to contribute and make a name for himself. In his later years, those who knew him playfully referred to him as “Constitution Charlie” because he often referred to his contributions at Philadelphia.

Early in the debates, Pinckney gave a celebrated speech in which he trumpeted the uniqueness of America. “Our true situation,” he declared, “appears to me to be this—a new extensive Country containing within itself the materials for forming a Government capable of extending to its citizens all the blessings of civil & religious liberty.” At the convention, Pinckney championed civil liberties, and though the safeguards he suggested were not incorporated into the new Constitution, many of them were later included in the Bill of Rights.

Some of Pinckney’s ideas did, however, make their way into the Constitution. He is credited, for example, for being the first to use the term *Senate*. He worked to prohibit religious qualifications for public office. He also pushed for a “vigorous Executive,” but with limitations. He feared that if the executive had too much power in the realms of war and peace, then the system “would render the Executive a Monarchy, of the worst kind, to wit an elective one.” Despite his fear of an overzealous ruler, he supported a single executive, with the title President, instead of a governing body. These ideas were part of the plan of government he introduced at Philadelphia—a plan similar to the Virginia Plan, which was offered the same day and which resembled closely the final version of the Constitution.

An advocate of elitist government, he proposed high property qualifications for federal office, arguing that “the Legislature, the Executive, and the judges should be possessed of competent property to make them independent and respectable.” He encouraged the selection of representatives by state legislatures and wanted the legislature, not the executive, to choose justices for the Supreme Court. Pinckney also favored a federal veto over state laws and backed an effort to establish a national university. But these two proposals failed to pass.

Pinckney did not back away from difficult issues. As a large slaveholder, he was steadfast in his support of the institution of black slavery and defended the slave trade, a practice that even many of his fellow southerners found revolting. He deemed the trade in human flesh to be “in the interest of the whole Union,” and he warned that “South Carolina can never receive the plan [of the new national government] if it prohibits the slave trade.” In the end, however, believing the Constitution to be on the whole a worthy document, he was ready to compromise on the issue, agreeing to the clause that prohibited Congress’s interference with the practice for twenty years. He reassured antislavery delegates by suggesting, “if the States be all left at liberty on this subject, South Carolina may perhaps by degrees do of herself what is wished [banning the importation of slaves], as Virginia and Maryland have already done.”

The debates at Philadelphia ended, compromises were made, the vote was taken, and the Constitution was sent to the states. Pinckney diligently pursued its ratification in South Carolina, making passionate speeches in support of the new government. He told his fellow South Carolinians that they should be “astonishingly pleased” that a government “so perfect could have been formed from such discordant and unpromising material.” On May 23, 1788, South Carolina became the eighth state to ratify the Constitution.

The Question of Slavery Continued

In the years that followed, Pinckney continued to be active in state and national politics, initially as an ally of those who formed the Federalist Party. He was elected governor of South Carolina four times, served as senator two terms, and sat as a member of the House of Representatives for one term. In the early 1800s, Pinckney, like most Southerners, became uncomfortable with Federalist policies and embraced the Jeffersonian Republicans instead. Pinckney served as ambassador to Spain for the Jefferson Administration.

Thereafter, Pinckney returned to the national arena only once before his death in 1824. To prevent the election of a Federalist, he ran for and was elected to the House of Representatives in 1819. In the House, he participated in the debates about the western expansion of slavery, opposing the Missouri Compromise, which proposed to ban slavery in the rest of the Louisiana Territory above 36°30' latitude. In the debate about the extension of slavery, "Constitution Charlie" relied heavily on his personal experience at the Philadelphia Convention, arguing that Congress was never "authorized to touch the question of slavery." Had Southerners known that Northerners intended to meddle with the institution, Pinckney declared, "no Constitution would have been achieved." But the Missouri Compromise passed, the balance between slave and free states in the Union was preserved, and the resolution of the slavery question was left for another day. For the nation, it was the beginning of heightened sectional discord. For Charles Pinckney, it was the end of an era.



Reading Comprehension Questions

1. What were Pinckney's contributions to the Constitution?
2. Which provisions supported by Pinckney never made it into the final version of the Constitution?

Critical Thinking Questions

3. Explain how Pinckney was consistent when he supported the slave trade at the Constitutional Convention and later opposed the Missouri Compromise.
4. You are young Charles Pinckney attending the first day of the Constitutional Convention. You have your plan for the government in hand and you are preparing to speak, when the Virginia Plan is introduced. You've been "beaten to the punch"! How do you deal with the situation?
5. Describe a time in your own life when someone beat you to the punch. How did you deal with it?

