

Cato II, *New York Journal*, 11 October 1787

*To the Citizens of the State of New-York.
“Remember, O my friends! the lows, the rights.
The generous plan of power deliver’d down.
By your renown’d Forefathers;
So dearly bought, the price of so much blood!
O let it never perish in your hands!
But piously transmit it to your children.”*

The object of my last address to you was to engage your dispassionate consideration of the new Fœderal government; to caution you against precipitancy in the adoption of it; to recommend a correction of its errors, if it contained any; to hint to you the danger of an easy perversion of some of its powers; to solicit you to separate yourselves from party, and to be independent of and uninfluenced by any in your principles of politics: and, that address was closed with a promise of future observations on the same subject which should be justified by reason and truth. Here I intended to have rested the introduction, but a writer under the signature of CÆSAR, in Mr. Childs’s paper of the 1st instant, who treats you with passion, insult, and threat[,] has anticipated those observations which would otherwise have remained in silence until a future period...But, what is the language of Cæsar—he ridicules your prerogative, power, and majesty—he talks of this *preferred constitution* as the tender mercy of a benevolent sovereign to deluded subjects, or, as his tyrant name-sake, of his proffered grace to the virtuous Cato:—he shuts the door of free deliberation and discussion, and declares, that you must receive this government in manner and form as it is *preferred*—that you cannot revise nor amend it, and lastly, to close the scene, he insinuates, that it will be more healthy for you that the American Fabius should be induced to accept of the presidency of this new government than that, in case you do not acquiesce, he should be solicited to command an army to impose it on you. Is not your indignation roused at this absolute, imperious stile?—For what did you open the veins of your citizens and expend their treasure?—For what did you throw off the yoke of Britain and call yourselves independent?—Was it from a disposition fond of change, or to procure new masters?—if those were your motives, you have your reward before you—go,—retire into silent obscurity, and kiss the rod that scourges you—bury the prospects you had in store, that you and your posterity would participate in the blessings of freedom, and the employments of your country—let the rich and insolent alone be your rulers—perhaps you are designed by providence as an emphatic evidence of the mutability of human affairs, to have the shew of happiness only, that your misery may seem the sharper, and if so, you must submit. But, if you had nobler views, and you are not designed by heaven as an example—are you now to be derided and insulted?—is the power of thinking, on the only subject important to you, to be taken away? and if per chance you should happen to dissent from Cæsar, are you to have Cæsar’s principles crammed down your throats with an army?—God forbid!...

...Cæsar, with his usual dogmatism, enquires, if I had talents to throw light on the subject of legislation, why did I not offer them when the Convention was in session?— he is answered in a moment—I thought with him and you, that the wisdom of America, in that Convention, was drawn as it were to a Focus—I placed an unbounded confidence in some of the characters who were members of it, from the services they had rendered their country, without adverting to the ambitious and interested views of others. I was willingly led to expect a model of perfection and security that would have astonished the world. Therefore, to have offered observation, on the subject of legislation, under these impressions, would have discovered no less arrogance than Cæsar. The Convention too, when in session, shut their doors to the observations of the community, and their members were under an obligation of secrecy—Nothing transpired—to have suggested remarks on unknown and anticipated principles would have been like a man groping in the dark, and folly in the extreme. I confess, however, I have been disappointed, and Cæsar is candid enough to make the same declaration, for he thinks it *might* have been more perfect.

But to call in dispute, at this time, and in the manner Cæsar does, the right of free deliberation on this subject, is like a man's propounding a question to another, and telling him, at the same time, that if he does not answer agreeable to the opinion of the propounder, he will exert force to make him of the same sentiment:—to exemplify this, it will be necessary to give you a short history of the rise and progress of the Convention, and the conduct of congress thereon. The states in Congress suggested, that the articles of confederation had provided for making alterations in the confederation—that there were defects therein, and as a mean to remedy which, a Convention of delegates, appointed by the different states, was resolved expedient to be held for the sole and express purpose of revising it, and reporting to Congress and the different legislatures such alterations and provisions therein as should (when agreed to in Congress and confirmed by the several states) render the fœderal constitution adequate to the exigencies of government. This resolution is sent to the different states, and the legislature of this state, with others, appoint, in conformity thereto, delegates for the purpose, and in the words mentioned in that resolve, as by the resolution of Congress, and the concurrent resolutions of the senate and assembly of this state, subjoined, will appear. For the sole and express purpose aforesaid a Convention of delegates is formed at Philadelphia:—what have they done? have they revised the confederation, and has Congress agreed to their report?—neither is the fact.—This Convention have exceeded the authority given to them, and have transmitted to Congress a new political fabric, essentially and fundamentally distinct and different from it, in which the different states do not retain separately their sovereignty and independency, united by a confederated league—but one entire sovereignty—a consolidation of them into one government—in which new provisions and powers are not made and vested in Congress, but in an assembly, senate, and president, who are not known in the articles of confederation.—Congress, without agreeing to, or approving of, this system *proffered* by the Convention, have sent it to the different legislatures, not for their confirmation, but to submit it to the people; not in conformity to their own resolution, but in conformity to the resolution of the Convention made and

provided in that case. Was it then, from the face of the foregoing facts, the intention of Congress, and of this and the other states, that the essence of our present national government should be annihilated, or that it should be retained and only had an increase of substantial necessary power? Congress, sensible of this latter principle, and that the Convention had taken on themselves a power which neither they nor the other states had a right to delegate to them, and that they could not agree to, and approve of this consolidated system, nor the states confirm it—have been silent on its character; and though many have dwelt on their unanimity, it is no less than the unanimity of opinion that it originated in an assumption of power, which your voice alone can sanctify. This new government, therefore, founded in usurpation, is referred to your opinion as the origin of power not heretofore delegated, and, to this end, the exercise of the prerogative of free examination is essentially necessary; and yet you are unhesitatingly to acquiesce, and if you do not, the American Fabius, if we may believe Cæsar, is to command an army to impose it. It is not my view to rouse your passions, I only wish to excite you to, and assist you in, a cool and deliberate discussion of the subject, to urge you to behave like sensible freemen. Think, speak, act, and assert your opinions and rights—let the same good sense govern you with respect to the adoption of a future system for the administration of your public affairs that influenced you in the formation of the present...

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