

James Lincoln, Speech in the South Carolina House of Representatives, 18 January 1788

Hon. JAMES LINCOLN, of Ninety-six, declared, that if ever any person rose in a public assembly with diffidence, he then did; if ever any person felt himself deeply interested in what he thought a good cause, and at the same time lamented the want of abilities to support it, it was he. On a question on which gentlemen, whose abilities would do honor to the senate of ancient Rome, had enlarged with so much eloquence and learning, who could venture without anxiety and diffidence? He had not the vanity to oppose his opinion to such men; he had not the vanity to suppose he could place this business in any new light; but the justice he owed to his constituents--the justice he owed to his own feelings, which would perhaps upbraid him hereafter, if he indulged himself so far as to give merely a silent vote on this great question--impelled him, reluctantly impelled him, to intrude himself on the house. He had, for some years past, turned his thoughts towards the politics of this country; he long since perceived that not only the federal but the state Constitution required much the hand of correction and revision. They were both formed in times of confusion and distress, and it was a matter of wonder they were so free from defects as we found them. That they were imperfect, no one would deny; and that something must be done to remedy those imperfections, was also evident; but great care should be taken that, by endeavoring to do some good, we should not do an infinite deal of mischief. He had listened with eager attention to all the arguments in favor of the Constitution; but he solemnly declared that the more he heard, the more he was persuaded of its evil tendency. What does this proposed Constitution do? It changes, totally changes, the form of your present government. From a well-digested, well-formed democratic, you are at once rushing into an aristocratic government. What have you been contending for these ten years past? Liberty! What is liberty? The power of governing yourselves. If you adopt this Constitution, have you this power? No: you give it into the hands of a set of men who live one thousand miles distant from you. Let the people but once trust their liberties out of their own hands, and what will be the consequence? First, a haughty, imperious aristocracy; and ultimately, a tyrannical monarchy. No people on earth are, at this day, so free as the people of America. All other nations are, more or less, in a state of slavery. They owe their constitutions partly to chance, and partly to the sword; but that of America is the offspring of their choice--the darling of their bosom: and was there ever an instance in the world that a people in this situation, possessing all that Heaven could give on earth, all that human wisdom and valor could procure--was there ever a people so situated, as calmly and deliberately to convene themselves together for the express purpose of considering whether they should give away or retain those inestimable blessings? In the name of God, were we a parcel of children, who would cry and quarrel for a hobby-horse, which, when we were once in possession of, we quarrel with and throw it away? It is said this Constitution is an experiment; but all regular-bred physicians are cautious of experiments. If the constitution be crazed a little, or somewhat feeble, is it therefore necessary to kill it in order to cure it? Surely not. There are many parts of this Constitution he objected to: some few of them had not been mentioned; he would therefore request some information thereon. The President holds his employment for four years; but he may hold it for fourteen times four years: in short, he may hold it so long that it

will be impossible, without another revolution, to displace him. You do not put the same check on him that you do on your own state governor a man born and bred among you; a man over whom you have a continual and watchful eye; a man who, from the very nature of his situation, it is almost impossible to do you any injury: this man, you say, shall not be elected for more than four years; and yet this mighty, this omnipotent governor-general may be elected for years and years.

He would be glad to know why, in this Constitution, there is a total silence with regard to the liberty of the press. Was it forgotten? Impossible! Then it must have been purposely omitted; and with what design, good or bad, he left the World to judge. The liberty of the press was the tyrant's scourge--it was the true friend and firmest supporter of civil liberty; therefore why pass it by in silence? He perceived that not till almost the very end of the Constitution was there any provision made for the nature or form of government we were to live under: he contended it should have been the very first article; it should have been, as it were, the groundwork or foundation on which it should have been built. But how is it? At the very end of the Constitution, there is a clause which says,--"The Congress of the United States shall guaranty to each state a republican form of government." But pray, who are the United States? A President and four or five senators? Pray, sir, what security have we for a republican form of government, when it depends on the mere will and pleasure of a few men, who, with an army, navy, and rich treasury at their back, may change and alter it as they please? It may be said they will be sworn. Sir, the king of Great Britain, at his coronation, swore to govern his subjects with justice and mercy. We were then his subjects, and continued so for a long time after. He would be glad to know how he observed his oath. If, then; the king of Great Britain forswore himself, what security have we that a future President and four or five senators--men like himself--will think more solemnly of so sacred an obligation than he did?

Why was not this Constitution ushered in with the bill of rights? Are the people to have no rights? Perhaps this same President and Senate would, by and by, declare them. He much feared they would. He concluded by returning his hearty thanks to the gentleman who had so nobly opposed this Constitution: it was supporting the cause of the people; and if ever any one deserved the title of man of the people, he, on this occasion, most certainly did.

Jonathan Elliot, ed., *The Debates in the Several State Conventions, on the Adoption of the Federal Constitution*, Vol. 4, Philadelphia: J.B. Lippincott and Company, pp. 312-315.