Aristides: *Remarks on the Proposed Plan of a Federal Government*, 31 January 1788 (excerpt)[1]

. . . I proceed to attack the whole body of anti-federalists in their strong hold. The proposed constitution contains no *bill of rights*.

Consider again the nature and intent of a federal republic. It consists of an assemblage of distinct states, each completely organized for the protection of its own citizens, and the whole consolidated, by express compact, under one head, for their general welfare and common defence.

Should the compact authorise the sovereign, or head, to do all things it may think necessary and proper, then is there no limitation to its authority; and the liberty of each citizen in the union has no other security, than the sound policy, good faith, virtue, and perhaps proper interests, of the head.

When the compact confers the aforesaid general power, making nevertheless some special reservations and exceptions, then is the citizen protected further, so far as these reservations and exceptions shall extend.

But, when the compact ascertains and defines the power delegated to the federal head, then cannot this government, without manifest usurpation, exert any power not expressly, or by *necessary* implication, conferred by the compact.

This doctrine is so obvious and plain, that I am amazed any good man should deplore the omission of a bill of rights. When we were told, that the celebrated Mr. Wilson had advanced this doctrine in effect, it was said, Mr. Wilson would not dare to speak thus to a CONSTITUTIONALIST. With talents inferior to that gentleman's, I will maintain the doctrine against any CONSTITUTIONALIST who will condescend to enter the lists, and behave like a gentleman.—

It is, however, the idea of another most respectable character, that, as a bill of rights could do no harm, and might quiet the minds of many good people, the convention would have done well to indulge them.—With all due deference, I apprehend, that a bill of rights might not be this innocent quieting instrument. Had the convention entered on the work, they must have comprehended within it every thing, which the citizens of the United States claim as a natural or a civil right. An omission of a single article would have caused more discontent, than is either felt, or pretended, on the present occasion. A multitude of articles might be the source of infinite controversy, by clashing with the powers intended to be given. To be full and certain, a bill of rights might have cost the convention more time, than was expended on their other work. The very appearance of it might raise more clamour than its omission,—I mean from

those, who study pretexts for condemning the whole fabric of the constitution.—"What! (might they say) did these exalted spirits imagine, that the natural rights of mankind depend on their gracious concessions. If indeed they possessed that tyrannic sway, which the kings of England had once usurped, we might humbly thank them for their *magna charta*, defective as it is. As that is not the case, we will not suffer it to be understood, that their *new-fangled* federal head shall domineer with the powers not excepted by their precious bill of rights. What! If the owner of 1000 acres of land thinks proper to sell one half, is it necessary for him to take a release from the vendee of the other half? Just as necessary is it for the people to have a grant of then natural rights from a government, which derives every thing it has, from the grant of the people."—

The restraints laid on the state legislatures will tend to secure domestic tranquillity, more than all the bills, or declarations, of rights, which human policy could devise. It is very justly asserted, that the plan contains an avowal of many rights. It provides, that no man shall suffer by ex post facto laws, or bills of attainder. It declares, that gold and silver only shall be a tender for specie debts; and that no law shall impair the obligation of a contract.

I have here perhaps touched a string, which secretly draws together many of the foes to the plan. Too long have we sustained evils, resulting from injudicious emissions of paper, and from the operation of tender laws. To bills of credit, as they are now falsely called, may we impute the entire loss of confidence between men. Hence is it, that specie has, in a great degree, ceased its proper office, and been confined to speculations, baneful to the public, and enriching a few enterprising sharp-sighted men, at the expence not only of the ignorant, slothful, and needy, but of their country's best benefactors. Hence chiefly are the bankruptcies throughout America, and the disreputable ruinous state of our commerce. Hence is it principally, that America hath lost its credit abroad, and American faith become a proverb. The convention plainly saw, that nothing short of a renunciation of the right to emit bills of credit could produce that grand consummation of policy, the RESTORATION of PUBLIC and PRIVATE FAITH.

Were it possible for the nations abroad to suppose Great-Britain would emit bills on the terms whereon they have issued in America, how soon would the wide arch of that mighty empire tumble into ruins? In no other country in the universe has prevailed the idea of supplying, by *promissory notes*, the want of coin, for commerce and taxes. In America, indeed, they have heretofore served many valuable purposes. It is this consideration, which has so powerfully attached to them many well meaning honest citizens; and they talk of gratitude to paper money, as if it were a sensible benefactor, entitled to the highest rank and distinction; and as if, to abandon it, would be a deadly sin. But when every thing demonstrates the season to be past; when the credit of America, in all places, depends on the security she shall give to contracts, it would be madness in the states to be tenacious of their right. So long as Europe shall believe we regard not justice, gratitude and honour, so long will America labour under the disadvantages of an individual, who attempts to make good his way through the world with a blasted reputation. To the man, who shall say, "it is of no consequence to consult national honour," I only answer thus,—"If thy soul be so narrow and depraved, as to believe this, it were a needless attempt to cure thee of thy error." . . .

1. The author was immediately apparent. Alexander Contee Hanson had used the pen name "Aristides" for many years, so that it was "equal to a public avowal of the author." "Aristides" was published as a 42-page pamphlet.

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