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Poplicola

Massachusetts Centinel, 31 October 1787

FEDERAL CONSTITUTION.

For the CENTINEL.

*An ANSWER to an "OLD WHIG,"
against the Federal Government, in our last.*

Mr. RUSSELL, As this gentleman appears to have been among the number of those who have been long wishing for a Federal Constitution, I am sorry he is not happy with the *one* lately offered to the publick for their approbation. Since it seems, however, that his first opinions were in favour of its being adopted, may we not suppose that in this instance his "second thoughts are by no means the best"—When he thinks a third time on the subject, I flatter myself he may change his sentiments again, and may then be as much in favour of the measure as he now is against it.

Be this as it may the signature he has assumed gives him some claim to our attention—I would wish to treat with respect even the failings of a respectable character: But at the same time, his errors should be refuted, lest his example might operate where his arguments would be of small consideration.

What the gentleman considers as a fault, I beg leave to observe, appears to me as an excellence in the proposed constitution.—For I have no idea of a government being "easily changed."—Would this gentleman wish that the order of society should be inverted, as easily as a lady would alter the fashion of her cloaths. At this rate we should be never at peace—every day would teem with new difficulties, and every suggestion formed by the vanity, interest, or even spleen of an individual, would become the capricious motive to some essential innovation.

As I thus differ from the writer whose objections I am endeavouring to refute, as to the criterion he has assumed of a good constitution, that is, of its being easily changed, let us now see, whether the provision empowering the people to make alterations in case of necessity, are not sufficient for the purpose intended.—And here, it may not be improper to request his excuses, when I take the freedom of observing that his idea of the wise and effectual checks established in the constitution, "being but a 'cunning way' to prevent any alteration at all," is not so polite, nor manly an insinuation as I should have hoped from so respectable a character. Are we to presume that the persons we have entrusted with our most essential concerns, would have had recourse to so mean, and so contemptible an artifice—especially when, for any thing that appears,

they and their posterity may be the principal sufferers—For there is certainly no passage in the constitution, which exempts any class of citizens from a full share in all the inconveniences which may attend its operation—so far, however, from the right reserved to the people of recurring to first principles when they shall be generally agreed, being but a trick to deceive us, it appears to me, I confess, the noblest provision of the whole—an honour to the member who suggested it, to the convention who adopted it, and a sure and certain hope of the continuance and immortality of national freedom.

This RIGHT then, reserved to the people of altering the constitution, appears to me to be fully sufficient to guard us against the tyranny or even insolence of our officers:—But if it were not, we are not to forget that these very officers are the creatures of our own choice, amenable to us, and to be recalled at our pleasure. Throwing, however, this last circumstance aside, I am by no means in sentiment with this gentleman, “that no alteration will be ever effected, because the necessary concurrence of opinion, will be invariably wanting”—as it appears clearly to me that this unanimity among the people is not so uncommon an event, nor so difficult of attainment as many may suppose.—If it be in America only, that we have written constitutions of government, founded on solemn deliberation, and adopted without fraud, violence, or bloodshed, it is most infallibly peculiar to this country alone, that the power which has formed, has reserved the right of changing our government when abuses in the administration, or defects in the system itself, shall render it necessary.—In a very short period, we have seen a great revolution effected by this very *union of will*, in the face of prescriptive authority, supported by a powerful force.—What reason then is there why the same coincidence of opinion may not exist again?—Are we to suppose that the spirit of liberty will be necessarily extinguished, when the present government is carried into effect? Will our posterity become a dishonour to their ancestors? When the rights of human nature are defined and supported, with force, and effect, in every other part of the world, beyond what ever has been known in any former period, must we certainly conclude, that nothing of the kind will be found on this continent? May we not rather presume that the flame of genuine republicanism will become brighter, and more ardent than ever? At this moment, this country exhibits an instance in point, to demonstrate the possibility of this concurrence of feelings and ideas among the people—For I will venture to affirm, from St. Croix to the Missis[s]ippi, that more than three fourths of the people, whether in Convention, or Congress, in the Legislatures, as well, as among those who are in no office, are fully and firmly of opinion, that the old Federal Government, is not sufficient to secure us against dissensions within, or violence from abroad.

With respect to what is said of our legislatures sinking into insignificance or contempt, when the Constitution is adopted, I will now suggest a reason why this must be impossible:—The “great” the “wise” and the “mighty,” says the writer, will be in Congress; but to be there, they must be first chosen by those very legislatures, which he represents to be so very insignificant; or by the people at large—Now to be even known to the people, these “great” and “wise” persons must be in a situation to have their publick conduct observed and approved, by the state they would wish to represent—for this end only, if there were to be no other motives, these very persons would place themselves in publick view—thus the legislatures would become the focus in which such characters would be collected—The importance of these bodies would be consequently sustained, and the people thus knowing their friends, from their enemies, the whole

system would move as it ought—In case of extreme necessity, these legislatures of the respective states, would form a formidable barrier against any possible encroachment of the sovereign power; they might establish a communication of councils, throughout the continent; Congress itself would tremble under the frowns of their constituents, and oppression would hide its horrid front, on this happy and united continent.

If then there is no great difficulty in getting the people, or their legislatures to agree; surely, there can be no natural impossibility in Congress recommending a Convention, provided they should think it eligible. It is always to be remembered that the members of this body are under the instructions of their constituents, and it cannot be forgotten, that the love of popularity, next to the love of interest, is the strongest principle of the human heart—Ambition will find its object, as much in the applause of the world, as in the continuance and extension of any official acquirement, supposing honour and integrity to have no influence.—If the people generally complain, Congress therefore will be full as likely to indulge, as to refuse them this favour, particularly, as they can have it without, and thus but little difficulty will be found.

There is another argument I had nearly forgotten, and that is the degree of liberty admitted as to this power of revision in the new Constitution, which we have not expressed, even in that of Massachusetts—For the citizens of this Commonwealth are only permitted at a given time to revise their Constitution and then only if two thirds are agreed;¹ but in the other case, the citizens of the United States can do it, without any limitation of time.—As this gentleman has observed that people are unwilling to part with the power they have got, it is for this reason, I do not believe the inhabitants of this country, will ever lose sight of the essential privilege of calling their publick servants to account.

Why this writer should conceive the *Liberty of the Press* is endangered by the new Constitution, I cannot think—His other objections, at least, have the appearance of plausibility, but this must be considered as altogether unsupported, as it is a known truth, that in the present Constitution every privilege is left, which is not expressly taken away from the people.²

I wish to see every thing offered against the new government, that the people may thoroughly comprehend it, and not be induced to suppose there is some latent mischief which is not revealed; but at the same time we should not confound the chimeras of a heated imagination, with the force and precision of solid argument.

1. According to Chapter VI, Article X, of the Massachusetts constitution, the legislature was to issue precepts in 1795 directing the towns to have their freemen vote “on the necessity or expediency of revising the constitution.” If two-thirds of the qualified voters favored amending the constitution, the legislature was required to call a state constitutional convention.

2. Such an argument was used by Pennsylvanian James Wilson in his 6 October 1787 speech before a Philadelphia public meeting.

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