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Commentaries on the Referendum

A Freeman

Newport Herald, 20 March 1788

To the FREEHOLDERS and FREEMEN of this State.

A question of great magnitude is submitted to your decision on the fourth Monday of this month, *that of deciding in town-meeting upon the proposed Federal Constitution*—six states have already ratified it, and the others, excepting this, have appointed conventions.—This alteration of the mode of decision subjects us to great inconveniences in investigating the truth, for it cannot be expected that our information can be so extensive in separate meetings as in a collective one; besides, we are liable to be imposed on by artful and designing men, whose only prospect is in a state of anarchy, and are excluded from the benefits which frequently result from accommodations.—We are not only deprived by the Legislature *of an unalienable right*, that of determining whether we would decide ourselves on the constitution, or refer it to a convention of our appointment, where it might have a complete discussion—but insidious men have been incited to circulate falsehood after falsehood to destroy this fabric of order, justice and liberty, and flushed with their apparent success, they have presumed so far on our ignorance as to declare, that the Federal Constitution is more despotic than the British.—Let us therefore, my fellow citizens, candidly compare these two constitutions, and then we shall not hesitate to pronounce the superior excellence of the Federal Constitution;—for this purpose I have impartially selected from the celebrated Judge Blackstone, the powers of the British Government, and contrasted those of Congress under the proposed constitution with them.

BRITISH CONSTITUTION.

The Parliament.

They are the supreme Legislative, their powers are absolute, and extend to an abolition of Magna Charta itself.

Its constituent parts are the King's Majesty, the Lords Spiritual and Temporal, and the Commons, each of which parts has a negative in making Laws.

PROPOSED CONSTITUTION FOR THE UNITED STATES OF AMERICA.

The Congress

Their powers are not supreme, nor absolute, it being defined by the Constitution: and all powers therein not granted, are retained by the State Legislatures.

Congress consist of a Senate and House of Representatives; the President may disapprove of Bills; but if upon reconsideration, they are approved by two-thirds of the two Houses, they become Laws, notwithstanding his disapprobation.

The King.

By the positive Constitution of the Kingdom the Crown hath ever been descendible, and so continues by becoming hereditary in the Prince, to whom it is limited.

The Constitution of England not only views the King as absolute in perpetuity, but in perfection. *The King can do no wrong*, is an established maxim.

The King has the sole right of sending and receiving Ambassadors, of making treaties, of proclaiming war or peace, of issuing reprisals, of granting safe conduct.

The King is considered as the General of the Kingdom, may raise fleets and armies, build forts, confine his subjects within the realm, or recall them from foreign parts.

The King is the supreme Head of the Church, and receives appeals in all ecclesiastical causes.

The King hath the power to prorogue, nay to dissolve the Parliament.

The House of Lords.

The Lords who compose this House were originally created by the King, and, excepting the sixteen elected by Scotland, retain their seats for life, their powers descending to their heirs. The King may also constitute Lords at pleasure. The House of Lords are not only vested with Legislative powers, but are the High Court of Appeals in civil causes.

The President,

Is elected by the people for the term of four years only, consequently these States are not exposed to the disadvantages and dangers of hereditary descent.

The Constitution of the United States supposes that a President may do wrong, and have provided that he shall be removed from office on impeachment and conviction of high crimes and misdemeanors.

The President cannot, without the advice and consent of the Senate, appoint Ambassadors, nor make treaties. The powers of declaring war, raising armies, and granting safe conduct, are vested in Congress only.

The President is only Commander in Chief of fleets and armies, when called into actual service: he cannot confine our citizens within the States, nor oblige them to return from foreign parts.

The Constitution disclaims the exercise of any such powers.

The President hath no power to adjourn Congress, but in cases of disagreement between the Senate and Representatives. The President cannot dissolve them.

The Senate,

Hold not their seats for life, nor are their powers descendible to their heirs; but they are elected by the State Legislatures for six years only: They are liable to be removed for misconduct by impeachment, & are not vested with judicial powers.

The Commons,

Are elected for seven years, and not more than one-twentieth part of the natural free subjects of Great-Britain are privileged to be electors or hold any office of honor or trust under the Crown.

The Representatives,

Are elected for two years only, by the independent freemen of these United States, who compose a great majority of the citizens. No further requisites are necessary to invest citizens with the privileges of freemen, than a small freehold that is prescribed by our particular State Laws; and when admitted free, they are capable of electing and being elected to any office of honor & trust within the United States.

State of Rhode-Island, &c. March 14.

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