

## **A Federal Republican, A Review of the Constitution, 28 November 1787 (excerpts)**

...It is said that the insertion of a bill of rights, would be an argument against the present liberty of the people.

To have the rights of the people declared to them, would imply, that they had previously given them up, or were not in possession of them.

This indeed is a distinction of which the votaries of scholastic philosophy might be proud—but in the political world, where reason is not cultivated independently of action and experience, such futile distinctions ought not to be agitated.

In fact, it does not exist, for I should think, it is as rational to declare the right of the people to what they already possess, as to decree to them any new rights. If the people do really possess them, there can be no harm in expressing what is meant to be understood.

A bill of rights should either be inserted, or a declaration made, that whatever is not decreed to Congress, is reserved to the several states for their own disposal.

In this particular, the articles of the present confederation have an evident advantage. The second article says, that “each state retains its *sovereignty, freedom and independence, and every power, jurisdiction, and right, which is not by this confederation expressly declared to United States in Congress assembled.*”

This will appear the more proper, if we consider that these *are rights* in which all the states are concerned. It is thought proper to delegate to Congress supreme power on all occasions where the *natural* interests of the states are concerned, and why not for the same reason grant and declare to the states a bill of *those rights* which are also *mutual*?

At any rate it is certain that no injury can arise from it, and to do it, would be satisfactory and wise.

On the whole, my fellow-citizens, this constitution was *conceived* in wisdom; the thanks of the United States are justly due to the members of the late convention.

But let their productions pass again through the furnace.

Do not give them even the opportunity of depriving you of your rights and privileges, and that without breaking over any restraint imposed by the constitution.

Because this once granted they will be fully enabled in the present age to lay the gentle foundation of despotic power, and after a temporary interval of seeming humanity between

you and succeeding generations, to rivet upon *them* the chains of slavery beyond the possibility of a rupture.

To guard against this, I could wish to see the proposed constitution revised and corrected.

If the States are not to be *confederated*, let them be reduced to one compact body.

And if a perfect consolidation of the States is to take place, if the people are to become the source of power, and if Congress is to represent them as the head of this grand body politic, in the name of all that is dear to freemen, permit not the veins through which the life of government itself is to flow from the *heart* to the *head*, be any way obstructed—let the passages be free & open that *vital* heat may *animate* every *limb*.

That if all the States were to offer their objections, the constitution would be reduced to nothing, is an ill founded idea.

The good natured similarity which the citizen of America discovered between this constitution and a piece of painting, is perfectly erroneous.

All painting is addressed to the *sense* and relished by *taste* which is various and fluctuating—but this constitution is addressed to the *understanding*, and judged of by *reason* which is fixed and true.

The constitution is for the most part good, and perhaps many of the objections which have been made to it, arise from our not being able to discern *clearly* the collective interest of the states.

Some of them however, in all probability exist beyond contradiction.

Let the convention of each State make its exceptions, then let a future and general one receive them all, and reconcile them with as much wisdom as possible.

This would certainly be some refinement.

It *could* do no *harm*, but *might* do much *good*.

To conclude, my friends and fellow-citizens, have the proposed constitution revised, corrected and amended—have every dubious expression be made plain and clear—have every power accurately defined and well understood, and your own rights and privileges clearly stated, or a declaration made that all powers that are not by this constitution delegated to Congress, are reserved for your own disposal.

Then and not till then, will impartial justice rule over our land, and America become the theatre of equity and wisdom, as she has already been the field of patriotism and bravery.

This once obtained, we shall be happy and free, and having enjoyed the blessings of peace and plenty under the ample shade of the tree of *liberty*, we shall deliver them down unimpaired by the corrosive influence of time to the latest posterity.

V.P.

*“Quod bonum, faustumque sit nobis patriæque nostræ, sic enim nos perpetuam felicitatem Reipublicæ, precari existimamus.”* 1

1. A corrupted version of a passage in Suetonius, *The Lives of the Caesars*, Book II, chapter 58, in which “A Federal Republican” wishes good fortune and divine favor for his native country and prays for the lasting happiness of the American republic.

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