

## **Civis: To the Citizens of South Carolina, Charleston *Columbian Herald*, 4 February 1788**

“Civis” was published in the Charleston *Columbian Herald* on 4 February, and as a twelve-page pamphlet by the printer of the *Herald*. The same plates were used for the texts of both printings. According to Ramsay, copies of the pamphlet—entitled *An Address to the Freemen of South-Carolina, on the Subject of the Fæderal Constitution, Proposed by the Convention, which Met in Philadelphia, May 1787*—were distributed to members of the South Carolina legislature.

*Friends, Countrymen, and Fellow Citizens*, You have at this time a new federal constitution proposed for your consideration. The great importance of the subject demands your most serious attention. To assist you in forming a right judgment on this matter, it will be proper to consider,

1st. It is the manifest interest of these states to be united. Eternal wars among ourselves would most probably be the consequence of disunion. Our local weakness particularly proves it to be for the advantage of South-Carolina to strengthen the federal government; for we are inadequate to secure ourselves from more powerful neighbours.

2d. If the thirteen states are to be united in reality, as well as in name, the obvious principle of the union should be, that the Congress or general government, should have power to regulate all general concerns. In a state of nature, each man is free and may do what he pleases; but in society, every individual must sacrifice a part of his natural rights; the minority must yield to the majority, and the collective interest must controul particular interests. When thirteen persons constitute a family, each should fore-go every thing that is injurious to the other twelve. When several families constitute a parish, or county, each may adopt any regulations it pleases with regard to its domestic affairs, but must be abridged of that liberty in other cases, where the good of the whole is concerned.

When several parishes, counties or districts form a state, the separate interests of each must yield to the collective interest of the whole. When thirteen states combine in one government, the same principles must be observed. These relinquishments of natural rights, are not real sacrifices: each person, county or state, gains more than it loses, for it only gives up a right of injuring others, and obtains in return aid and strength to secure itself in the peaceable enjoyment of all remaining rights. If then we are to be an united people, and the obvious ground of union must be, that all continental concerns should be managed by Congress—let us by these principles examine the new constitution. Look over the 8th section, which enumerates the powers of Congress, and point out one that is not essential on the before recited principles of union. The first is a power to lay and collect taxes, duties, imposts and excises, to pay the debts, and provide for the common defence and general welfare of the United States.

When you authorised Congress to borrow money, and to contract debts for carrying on the late war, you could not intend to abridge them of the means of paying their engagements, made on your account. You may observe, that their future power is confined to provide for the *common defence* and *general welfare* of the United States. If they apply money to any other purposes,

they exceed their powers. The people of the United States who pay, are to be judges how far their money is properly applied. It would be tedious to go over all the powers of Congress, but it would be easy to shew that they all may be referred to this single principle, "that the general concerns of the union ought to be managed by the general government." The opposers of the constitution, cannot shew a single power delegated to Congress, that could be spared consistently with the welfare of the whole, nor a single one taken from the states, but such as can be more advantageously lodged in the general government, than in that of the separate states.

For instance—the states cannot emit money; this is not intended to prevent the emission of paper money, but only of state paper money. Is not this an advantage? To have thirteen paper currencies in thirteen states is embarrassing to commerce, and eminently so to travellers. It is obviously our interest, either to have no paper, or such as will circulate from Georgia to New-Hampshire. Take another instance—the Congress are authorised to provide and maintain a navy—Our sea coast in its whole extent needs the protection thereof; but if this was to be done by the states, they who build ships, would be more secure than they who do not. Again, if the local legislatures might build ships of war at pleasure, the Eastern would have a manifest superiority over the Southern states. Observe how much better this business is referred to the regulations of Congress. A common navy, paid out of the common treasury, and to be disposed of by the united voice of a majority for the common defence of the weaker as well as of the stronger states, is promised, and will result from the federal constitution. Suffer not yourselves to be imposed on by declamation. Ask the man who objects to the powers of Congress two questions. Is it not necessary that the supposed dangerous power be lodged somewhere? and secondly, where can it be lodged consistently with the general good, so well as in the general government? Decide for yourselves on these obvious principles of union.

It has been objected, that the eastern states have an advantage in their representation in Congress. Let us examine this objection—the four eastern states send seventeen members to the house of representatives, but Georgia, South-Carolina, North-Carolina and Virginia, send twenty-three. The six northern states send twenty-seven, the six southern thirty. In both cases we have a superiority;—but, say the objectors, add Pennsylvania to the northern states, and there is a majority against us. It is obvious to reply, add Pennsylvania to the Southern states, and they have a majority. The objection amounts to no more than that seven are more than six. It must be known to many of you, that the Southern states, from their vast extent of uncultivated country, are daily receiving new settlers; but in New-England their country is so small, and their land so poor, that their inhabitants are constantly emigrating. As the rule of representation in Congress is to vary with the number of inhabitants, our influence in the general government will be constantly increasing. In fifty years, it is probable that the Southern states will have a great ascendancy over the Eastern. It has been said that thirty-five men, not elected by yourselves, may make laws to bind you. This objection, if it has any force, tends to the destruction of your state government. By our constitution, sixty-nine make a quorum, of course, thirty-five members may make a law to bind all the people of South-Carolina.—Charleston, and any one of the neighbouring parishes send collectively thirty-six members; it is therefore possible, in the absence of all others, that three of the lower parishes might legislate

for the whole country. Would this be a valid objection against your own constitution? It certainly would not—neither is it against the proposed federal plan. Learn from it this useful lesson—insist on the constant attendance of your members, both in the state assembly, and Continental Congress: your representation in the latter, is as numerous in a relative proportion with the other states as it ought to be. You have a thirteenth part in both houses; and you are not, on principles of equality, entitled to more.

It has been objected, that the president, and two-thirds of the senate, though not of your election, may make treaties binding on this state. Ask these objectors—do you wish to have any treaties? They will say yes.—Ask then who can be more properly trusted with the power of making them, than they to whom the convention have referred it? Can the state legislatures? They would consult their local interests—Can the Continental House of Representatives? When sixty-five men can keep a secret, they may. Observe the cautious guards which are placed around your interests. Neither the senate nor president can make treaties by their separate authority.—They must both concur.—This is more in your favor than the footing on which you now stand. The delegates in Congress of nine states, without your consent can not bind you;—by the new constitution there must be two thirds of the members present, and also the president, in whose election you have a vote. Two thirds are to the whole nearly as nine to thirteen. If you are not wanting to yourselves by neglecting to keep up the states compliment of senators, your situation with regard to preventing the controul of your local interests by the Northern states, will be better under the proposed constitution than now it is under the existing confederation.

It has been said, we will have a navigation act, and be restricted to American bottoms, and that high freight will be the consequence. We certainly ought to have a navigation act, and we assuredly ought to give a preference, though not a monopoly, to our own shipping.

If this state is invaded by a maritime force, to whom can we apply for immediate aid?—To Virginia and North-Carolina? Before they can march by land to our assistance, the country may be over run. The Eastern states, abounding in men and in ships, can sooner relieve us, than our next door neighbours. It is therefore not only our duty, but our interest, to encourage their shipping. They have sufficient resources on a few months notice, to furnish tonnage enough to carry off all your exports; and they can afford, and doubtless will undertake to be your carriers on as easy terms as you now pay for freight in foreign bottoms.

On this subject, let us consider what we have gained, & also what they have lost by the revolution. We have gained a free trade with all the world, and consequently a higher price for our commodities, it may be said, and so have they; but they who reply in this manner, ought to know, that there is an amazing difference in our favor: their country affords no valuable exports, and of course the privilege of a free trade is to them of little value, while our staple commodity commands a higher price than was usual before the war. We have also gained an exemption from quit rents, to which the eastern states were not subjected. Connecticut and Rhode-Island were nearly as free before the revolution as since. They had no royal governor or councils to control them, or to legislate for them. Massachusetts and New-Hampshire were much nearer independence in their late constitutions than we were. The eastern states, by the

revolution, have been deprived of a market for their fish, of their carrying-trade, their ship building, and almost of every thing but their liberties.

As the war has turned out so much in our favor, and so much against them, ought we to begrudge them the carrying of our produce, especially when it is considered, that by encouraging their shipping, we increase the means of our own defence. Let us examine also the federal constitution, by the principle of reciprocal concession. We have laid a foundation for a navigation act.—This will be a general good; but particularly so to our northern brethren. On the other hand, they have agreed to change the federal rule of paying the continental debt, according to the value of land as laid down in the confederation, for a new principle of apportionment, to be founded on the numbers of inhabitants in the several states respectively. This is an immense concession in our favor. Their land is poor; our's rich; their numbers great; our's small; labour with them is done by white men, for whom they pay an equal share; while five of our negroes only count as equal to three of their whites. This will make a difference of many thousands of pounds in settling our continental accounts. It is farther objected, that they have stipulated for a right to prohibit the importation of negroes after 21 years. On this subject observe, as they are bound to protect us from domestic violence, they think we ought not to increase our exposure to that evil, by an unlimited importation of slaves. Though Congress may forbid the importation of negroes after 21 years, it does not follow that they will. On the other hand, it is probable that they will not. The more rice we make, the more business will be for their shipping: their interest will therefore coincide with our's. Besides, we have other sources of supply—the importations of the ensuing 20 years, added to the natural increase of those we already have, and the influx from our northern neighbours, who are desirous of getting rid of their slaves, will afford a sufficient number for cultivating all the lands in this state.

Let us suppose the union to be dissolved by the rejection of the new constitution, what would be our case? The United States owe several millions of dollars to France, Spain, and Holland. If an efficient government is not adopted, which will provide for the payment of our debt, especially of that which is due to foreigners—who will be the losers? Most certainly the southern states. Our exports, as being the most valuable, would be the first objects of capture on the high seas; or descents would be made on our defenceless coasts, till the creditors of the United States had paid themselves at the expence of this weaker part of the union. Let us also compare the present confederation, with the proposed constitution. The former can neither protect us at home, nor gain us respect abroad: it cannot secure the payment of our debts, nor command the resources of our country, in case of danger. Without money, without a navy, or the means of even supporting an army of our own citizens in the field, we lie at the mercy of every invader; our sea port towns may be laid under contribution, and our country ravaged.

By the new constitution, you will be protected with the force of the union, against domestic violence and foreign invasion. You will have a navy to defend your coasts.—The respectable figure you will make among the nations, will so far command the attention of foreign powers, that it is probable you will soon obtain such commercial treaties, as will open to your vessels the West-India islands, and give life to your expiring commerce.

In a country like our's, abounding with free men all of one rank, where property is equally diffused, where estates are held in fee simple, the press free, and the means of information common; tyranny cannot readily find admission under any form of government; but its admission is next to impossible, under one where the people are the source of all power, and elect either mediately by their representatives, or immediately by themselves the whole of their rulers.

Examine the new constitution with candor and liberality. Indulge no narrow prejudices to the disadvantage of your brethren of the other states; consider the people of all the thirteen states, as a band of brethren, speaking the same language, professing the same religion, inhabiting one undivided country, and designed by heaven to be one people. Consent that what regards all the states should be managed by that body which represents all of them; be on your guard against the misrepresentations of men who are involved in debt;<sup>1</sup> such may wish to see the constitution rejected, because of the following clause "no state shall emit bills of credit, make any thing but gold and silver coin, a tender in payment of debts, pass any *expost facto* law, or law impairing the obligation of contracts." This will doubtless bear hard on debtors who wish to defraud their creditors, but it will be of real service to the honest part of the community. Examine well the characters & circumstances of men who are averse to the new constitution. Perhaps you will find that the above recited clause is the real ground of the opposition of some of them, though they may artfully cover it with a splendid profession of zeal for state privileges and general liberty.

On the whole, if the proposed constitution is not calculated to better your country, and to secure to you the blessings for which you have so successfully contended, reject it: but if it is an improvement on the present confederation, and contains within itself the principles of farther improvement suited to future circumstances, join the mighty current of federalism, and give it your hearty support. You were among the first states that formed an independent constitution;<sup>2</sup> be not among the last in accepting and ratifying the proposed plan of federal government; it is your sheet anchor; and without it, independence may prove a curse.

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