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An American Citizen

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Thoughts on the Subject of Amendments to the Federal Constitution.

To moderate the ardor and diminish the fears of the friends of *amendment*, we took a cursory view, in the last paper, of the ground upon which liberty is fixed in this enlightened time, and particularly in the United States. It clearly appeared, that the dangers to property, peace, liberty and life, so far as they have heretofore proceeded from the abuse of ecclesiastical power, are now done away by the total suppression of that species of authority. It was also evident, that instead of *general feeling* and *opinion*, on which the liberties of the ancient republics precariously rested, the progress of political knowledge had given us the more certain basis of *the acknowledged rights* of man, and *the established principles* of freedom. Being possessed of constitutions formed out of these *rights and principles*, it was argued, that no sudden inroads upon the liberties of the people could be made, no insidious encroachments could be effected. Wherefore, it was further observed, the business of amendment, equally important to *liberty* and *government*, need not be precipitated, from any dangerous circumstances in our present situation.

In considering those amendments which immediately relate to the rights of individuals, we must call to mind that the United States have successfully concluded an important contest, the grounds of which principally were, their assertion of their general and common rights, in the utmost extent to which the theory of a free government could carry them. We must remember also, that our federal and state governments are and will be, so far as a very large majority goes, in the hands of those men who *originated* that contest, or *maintained* it to an happy issue. If we give ourselves a moment's time for reflection, we shall be satisfied that the leaders of the general and state councils from 1775 to 1787, both civil and military characters, who are now entering upon the duties of the new government, will not betray that liberty they then asserted, nor be silent spectators of its destruction by the plans of their fellow citizens. When the body of the new Congress shall be assembled; when the state legislatures shall see in the senate the representatives of their various interests, *created by a deliberate exercise of their own powers*—when the people at large shall behold in the house of representatives *the men of their freest choice*, and in their chief magistrates, *the creature of their breath* and *the venerated object of their warmest affections*; they will not unreasonably and ungenerously suppose that such a body, formed at a juncture so important and by means so just, will be inattentive to any consideration, which may affect the happiness of a country on whose fortunes hang all their joys and sorrows. Shall we not then *calmly wait* the short period of their meeting? shall we formally elect them for the most important

duties, and immediately withdraw from them the confidence their station demands? Till their conduct gives us some shadow of cause to censure them let us rationally expect that they will examine with becoming anxiety and care, what further checks in favour of liberty can be introduced, what further explanations of the constitution time and reflection prove to be necessary. Should they discover that the preservation of freedom, or *even the restoration of general harmony*, renders it necessary that a declaration of the rights of conscience, the freedom of the press, and other articles, should be expressed as fully in the constitution of the union as they are in those of the states, we should be wanting to ourselves, and cruelly unjust to them, to suppose they will neglect to propose them.

If we consider the manner in which a general convention will be created, *by the election of the state legislatures*—if we remember at the same time, that one branch of the new Congress are to be chosen by those bodies and the other by the people at large; if we bear in mind also, that *the rights of the states*, as well as those of *the people*, are involved in the proposed amendments; we shall see that a general convention would not be as competent to decide on alterations, as the new Congress, from the nature of its two branches, will be to propose them for the determination of the legislatures or people of the states. Considering the mixed nature of the new constitution, made up as it is of the rights of the people and the rights of the states, a mixed body only, created *by both the parties concerned*, can safely and equitably amend it. The contracting parties in the federal compact are *the people of the several states*, and *the several state governments*. Amendments originated by the representatives of either, alone, cannot be just, and may be dangerous to the other.

Considering, then, that the present situation of the United States is peculiarly free from those rocks on which the liberties of the people have formerly been lost—that we may place our affairs, both in the state and general governments, under the guidance of our most enlightened citizens—that there is every reason to believe the interest, the wisdom, and the virtue of those, whom the people and the legislatures shall elect, will ensure a due attention to the peace and safety of our country—that precipitation, warmth, and unreasonable prejudices may possibly mar the constitution, but cannot amend it—we must deem it at once our interest and duty, calmly to wait the first operations of the federal legislature. Impatience under assumed powers has been the just characteristic of Americans. Let not our enemies, in this our political infancy, be able to charge us with the same temper towards the just authority, *which we ourselves have deliberately created*.

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