



CENTER FOR THE STUDY OF THE AMERICAN CONSTITUTION

csac.history.wisc.edu > Document Collections > The Creation and Ratification of the Bill of Rights > Serial Essays Related to the Creation and Ratification of the Bill of Rights > Essays by "An American Citizen"

An American Citizen

Philadelphia *Federal Gazette*, 24 December 1788

THOUGHTS on the SUBJECT of AMENDMENTS
of the FEDERAL CONSTITUTION.

In examining those amendments which relate to *the powers* vested in Congress by the new constitution, we find the principal ground of objection to be, the effect which the general government will have upon the governments of the states. And here it may be well for us briefly to notice the principal causes of opposition throughout the United States, which unhappily can be too easily ascertained. Considerations with regard to personal rights no doubt have affected many worthy men, but we trust we have already shewn, that every amendment really affecting liberty may be expected of the new Congress. The event must very soon prove the prediction to be true or false, and in the mean time it must be evident that there is no danger from an unorganized government, from a constitution yet on paper.

The first great cause of objection which presents itself is, that the federal constitution will prevent those legal invasions of *the rights of property*, which have shewn themselves in *paper emissions, lawful tenders, instalment laws, and valuation laws*. To all arguments drawn from *such* considerations, it would be an insult to the integrity of an honest opponent to the constitution to offer an answer. He will reject them of his own accord. Only to remind him of the facts will be sufficient. He will find, on examination, that a majority of the state legislatures had committed trespasses of this kind, *prior* to the meeting of the late general convention, and that attempts were making in some one of the remaining states at every session.

The second objection to the constitution of the United States which occurs, and which is of too general influence, is, that it aims to restore *energy*, and to give *effect* to government. The delay of justice, and in the collection of taxes and debts, in the interior parts of some, and every part of other states, is too convenient, too agreeable to many. To all arguments drawn from *such* considerations, also, it would be an insult to the integrity of an honest opponent of the constitution to offer an answer. Measures, which will remedy these two evils, must be acceptable to good men of both parties, and are indispensibly necessary to the prosperity and honor of the United States.

The third objection to the powers of the federal government, which creates a strong and warm body of opponents, is the influence, 'tis said, it will have on the powers of the state governments.

Let us examine briefly a few points in the constitutions of the states, and the administration of them since the peace.

The constitutions of a majority of the states establish, in many important particulars, an equality among their respective counties, though they differ in their number of freemen in the proportion of ten to one, and in their contributions to government much more. This is surely a violation of justice and the equal rights of man. Such constitutions are not *the codes of liberty*, nor can a just and safe administration take place under them.

Several of the state constitutions impose religious tests. One of them disfranchises the whole body of the clergy of all denominations¹—another disfranchises all Christian sects but one. Would not the friends of religious men, and the meritorious advocates of religious liberty, be well employed in obtaining amendments of these articles?

If the state constitutions thus violate the rights of man, both *temporal* and *spiritual*, the administration under them must always be precarious, and has been already extremely unjust. Foreigners, and the merchants and tradesmen of New-Hampshire, Massachusetts, Connecticut, Pennsylvania and Maryland (where special payments can be compelled) have placed large properties in goods in the hands of the merchants, traders, planters and farmers in Georgia, the Carolinas, Virginia, New-Jersey and Rhode-Island. The *legal* impediments, which the several legislatures of the latter states have thrown in the way, or which they have purposely omitted to remove, though within their powers, have long detained, and yet continue to keep the rightful property of the former out of their hands. The consequence to the unhappy creditor, who is within the reach of a just and efficient government, is a loss of those profits, which would maintain his family and educate his children, injurious sales of his landed property to make his payments, too often forced by legal executions, or even a distressful bankruptcy. The public debts and the public revenues might be enlarged on; but the picture of our country, as it stood at the time of the establishment of the federal constitution, arising principally from the defects and faults in the state constitutions, or the mal-administration of them, would be too painful. Let our own reflection, and these facts, which are *as true* as they are *deplorable*, suffice. Let us, however, deduce from these observations the conclusion to which they were meant to lead, that *a diminution of the powers of the state governments, and a transfer of a due portion of them to a national body, was necessary to the salvation of our country.*

In the formation of this national body, a careful examination was previously made. It was seen, that the United States were made up of *the people at large*, and of *thirteen local governments*, and that both must be completely represented in the general government. Hence an entire body was assigned to the people, called *the house of representatives*, without whose consent *nothing* can be done, and whose election is always to be made in a manner as consistent with equality and liberty, as that of any body upon earth. Hence, also, an entire representative body was assigned to the state legislatures, called *the senate*, in which the thirteen governments are completely represented, and their equal rights are duly maintained. To preserve unimpaired the independency of *the freemen* of the United States, no inequality was permitted to be introduced, to the prejudice of any man, in the election of the federal representatives; so also, to preserve inviolate the independency of *the states*, no inequality was allowed, to the injury of any one of them, in the election of their representatives, *the federal senators*. How just and safe to both *is this* arrangement.

We are now electing the *men of our choice* to represent us in the two houses of the general government. Let us, 'till the short period of their meeting, give them a generous credit for the

amendments they will propose, affecting the rights of conscience, the liberty of the press, and other topics, concerning which our apprehensions have been sometimes honestly, and at other times dishonestly, excited. Let us remember, what we will all admit, that they love virtue and freedom no less than ourselves.

1. The constitutions of Georgia, New York, North Carolina and South Carolina restricted the holding of all or some public offices by clergymen.

CITE AS: John P. Kaminski et al., eds., *The Documentary History of the Ratification of the Constitution*, Vol. XXXIX: Bill of Rights [3] (Madison, Wis.: Wisconsin Historical Society Press, 2023), 442–45.