

## **An American Citizen II: On the Federal Government, Philadelphia *Independent Gazetteer*, 28 September 1787**

We have seen that the late honorable Convention, in designating the nature of the chief executive office of the United States, *have deprived it of all the dangerous appendages of royalty*, and provided for *the frequent expiration of its limited powers*—As our President bears *no resemblance to a King*, so we shall see the Senate have *no similitude to nobles*.

First then not being hereditary, their *collective* knowledge, wisdom and virtue are not precarious, *for by these qualities alone are they to obtain their offices*; and they will have none of the *peculiar* follies and vices of those men, *who possess power merely because their fathers held it before them*, for they will be educated (under equal advantages and with equal prospects) among and on a footing with the other sons of a free people—If we recollect the characters, who have, at various periods, filled the seats of Congress, we shall find this expectation *perfectly reasonable*. Many *young* men of genius and *many characters of more matured abilities, without fortunes*, have been honored with that trust. *Wealth has had but few representatives there, and those have been generally possessed of respectable personal qualifications*. There have also been many instances of persons, not eminently endowed with mental qualities, who have been sent thither *from a reliance on their virtues, public and private*—As the Senators *are still to be elected by the legislatures of the states*, there can be no doubt of *equal safety and propriety* in their future appointment, especially as no further pecuniary qualification is required by the constitution.

They can hold *no other office* civil or military under the United States, nor can they join *in making provisions for themselves*, either by creating new places or encreasing the emoluments of old ones. As their sons are not to succeed them, they will not be induced to aim at an increase or perpetuity of their powers, at the expence of the liberties of the people of which those sons will be a part. They possess *a much smaller share of the judicial power* than the upper house in Britain, for they are not, as there, the highest court in civil affairs. Impeachments *alone* are the cases cognizable before them, and in what other place could matters of that nature be so properly and safely determined? The judges of the federal courts will owe their appointments to the president and senate, therefore may not feel so perfectly free *from favor, affection and influence*, as the upper house, who receive their power from the people, through their state representatives, and are immediately responsible to those assemblies, and finally to the nation at large—Thus we see when a daring or dangerous offender is brought to the bar of public justice, the people *who alone can impeach him by their immediate representatives*, will cause him to be tried, *not by judges appointed in the heat of the occasion*, but by two thirds of *a select body, chosen a long time before, for various purposes by the collected wisdom of their state legislatures*. From a pretence or affection of extraordinary purity and excellence of character *their word of honor* is the sanction, under which these high courts in other countries, have given their sentence— but with us, like the other judges of the union, like the rest of the people *of which they*

*are never to forget they are a part* it is required, that they be on oath.

No ambitious, undeserving or unexperienced *youth* can acquire a seat in this house by means of the most enormous wealth or most powerful connections, *till thirty years have ripened his abilities and fully discovered his merits to his country*—a more rational ground of preference surely than mere property.

The senate though more independent of the people as to *the free exercise of their judgement and abilities*, than the house of representatives, by the longer term of their office, must be older and more experienced men and the public treasures, *the sinews of the state*, cannot be called forth by their original motion. They may *restrain the profusion or errors* of the house of representatives, *but they cannot take the necessary measures to raise a national revenue*.

The people, through the electors, *prescribe* them such a president as shall be *best qualified to controul them*.

They can only, by conviction on impeachment, *remove and incapacitate a dangerous officer*, but the punishment of him as a criminal *remains within the province of the courts of law to be conducted under all the ordinary forms and precautions*, which exceedingly diminishes the importance of their judicial powers. They are *detached*, as much as possible, from *local* prejudices in favour of their respective states, by having a *separate and independent vote*, for the sensible and conscientious use of which, every member will find *his person, honor and character* seriously bound—He cannot shelter himself, *under a vote in behalf of his state*, among his immediate colleagues. As there are only *two*, he cannot be voluntarily or involuntarily governed *by the majority of the deputation*—He will be obliged, by wholesome provisions, *to attend his public duty*, and thus in great national questions *must give a vote* of the honesty of which, he will find it necessary to convince his constituents.

The senate *must always receive the exceptions of the president* against any of their legislative acts, which, without *serious deliberation and sufficient reasons*, they will seldom disregard. They will also feel a considerable check *from the constitutional powers of the state legislatures*, whose rights they will not be disposed to infringe, since they are the bodies *to which they owe their existence*, and are moreover to remain *the immediate guardians of the people*.

And lastly the senate will feel *the mighty check of the house of representatives*—body *so pure in its election*, so intimately connected, by its interests and feelings, *with the people at large*, so guarded against *corruption and influence*—so much, from its nature, *above all apprehensions*, that it *must ever be able to maintain the high ground assigned to it by the federal constitution*.

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