

Remarker, Boston *Independent Chronicle*, 27 December 1787

To the Citizens of Massachusetts. . . .

The first, and perhaps the most common, is that this Constitution does not contain a bill of rights. This is an objection which might be acknowledged to exist in full force upon the supposition that we have heretofore been slaves. It is a very common opinion, that this constitution hath for its object, the security of the rights and privileges of the people. I beg however to remark, that to secure the liberties of the people, was not the intended, or at least the immediate labour of Convention. Here was not the defect, neither our liberties were endangered, nor our privileges lessened: The people *have, do*, and I hope *will* ever possess them in perfection. National *defence, peace* and *credit*, were the grand points to be attended to, in this Constitution; and to these, the tenor of it inclines. The doctrine, that all which is not given, is reserved, is, notwithstanding all that hath been said of it, perfectly true. Men in full possession and enjoyment of all their natural rights, cannot lose them but in two ways, either from their own consent, or from tyranny. This Constitution, neither implies the former, nor creates an avenue to the latter. Therefore no cause can operate to this effect,—because the *people*, are always both able and ready, to resist the encroachments of Supreme Power.— Viewing the States as individuals, entering into social compact, for their mutual support and protection, some rights must doubtless be given up to the Governours of society. All that are delegated to Supreme Power, by this Constitution, are expressly declared. This amounts to a perfect limitation.—First, the whole are possessed,—some are given up, and the remaining are held valid and secure. *Hitherto* shall thou go, and *no farther*. A clear delegation of power, implies in itself a limitation. We do not decree to Governours, the power of saying what rights the people shall possess; but on the contrary, the people grant them their power, and define and limit it by the very declaration. The people therefore, are in no danger of losing the rights which they now possess, because they have granted no power that can possibly reach to the deprivation of them. The enumeration of the rights of the people, besides being tedious, would be unnecessary and absurd. The omission therefore, of *a Bill of Rights*, was wisdom itself, because it implies clearly that the people who are at once the *source* and *object* of power, are already in full possession of all the rights and privileges of freemen. Let the people retain them forever.

Cite as: The Documentary History of the Ratification of the Constitution Digital Edition, ed. John P. Kaminski, Gaspare J. Saladino, Richard Leffler, Charles H. Schoenleber and Margaret A. Hogan. Charlottesville: University of Virginia Press, 2009. Original source: Ratification by the States, Volume V: Massachusetts, No. 2