

## Hampden, *Pittsburgh Gazette*, 16 February 1788

Many sensible patriots, from their earnest desire of giving sufficient federal powers, and their honest unsuspecting confidence in the Federal Convention, were well pleased with the proposed system at the first examination thereof, who have since entirely changed their opinion of it, having by a more strict scrutiny penetrated the mystery with which much of it is enwrapped, and understood the extent of the powers to be given up, as well as the highly dangerous combination of the legislative and executive departments. .

..

The expressions to which I confine my remarks, run thus—“We are of opinion that it is the result of much political wisdom, good sense, and candor in those who framed it.” I shall address my attention chiefly to the character of candor, as it relates either to the Convention itself or to the system which they have proposed. . . .

The delegates were strictly limited by the law of their appointment solely to the revising the existing Confederation and reporting the result to Congress.<sup>4</sup> In the meantime the people at large had great hopes and few jealousies, because the Convention had powers to brace, but not to destroy the Confederation; they had authority to recommend more extensive federal powers to the general government, but not dissolve the constitutions of the several states, and *give* ultimately the whole internal sovereign power to Congress, was as far from being included in their appointment, as it was from the expectation and wishes of the people. If they had strengthened the Confederation, and increased the federal powers; if they had clothed Congress with every general power belonging to the United States, would they not have done their duty? Would they not have fulfilled their trust according to the law of their appointment? Would they then not have merited the character of candor? But if it doth not appear that they have discharged any part of the sacred trust reposed in them, but that they, on the contrary, as far as in them lay, destroyed the very object of their appointment; whatever may be said of them otherwise, I hope the character of candor will be given up. But to be more particular; that honorable body, after entering into a bond of secrecy which, however plausible and artful the reasons might be which brought that measure about, was certainly not necessary at least after their business was brought into form; because the secret transactions of government, such as making treaties, conducting war, and the like, was not the object of their deliberations...

In the official letter from the Convention to Congress, they say that the proposed plan is the result of that mutual deference and concession, which the peculiarity of our political situation rendered indispensable.<sup>6</sup> It is well-known that all the states have by their own constitution reserved unalienably unto their citizens, the right of trial by jury, in civil as well as in criminal cases; and the liberty of the press, as well as restrictions against standing armies in times of peace, etc. Surely then, these rights to the arbitrary will of

our future rulers could not arise from the political situation of the different states. Candor would have dictated a more honest reason. No doubt remains with me, but an aristocracy was the design, at least of those who prevailed so far as to vitiate a plan, the outlines of which I believe were at first well arranged and is yet capable of being made a good government, and I trust in the virtue of the United States that the dark and dangerous paths thereof will be properly altered and then adopted. But it will be asked, no doubt, who is this that dares so boldly to arraign the conduct and censure the production of a Convention composed of so chosen a band of patriots? To this I answer, that I am a freeman, and it is the character of freemen to examine and judge for themselves; they know that implicit faith respecting politics is the handmaid to slavery, and that the greatness of those names who frame a government cannot sanctify its faults, nor prevent the evils that result from its imperfections. Delicacy forbids that scrutiny into particular characters, which the boasting advocates of the new system seem to invite; and indeed the adding so much weight on the gilding of great names betrays a want of more substantial aid. However, I cheerfully grant that the names of Franklin and Washington would do honor to any deliberative body; their patriotism is unquestionable; but had those great men been the framers of the system, we ought not for this to give up our right of judging, but the case is quite otherwise. We know that General Washington, being President, was obliged to sign officially, whatsoever the majority resolved upon, let it be ever so contrary to his own sentiments; and though the general proceedings of that body are still a secret, we yet certainly know that he expressed a considerable degree of disapprobation of the system, by breaking through the established rules, in order to have it amended, in the important instance before mentioned. With respect to Dr. Frankin, it is now also well-known that he was all along in the minority; that after long labor the patriots of the minority procured some alterations to the better; that Doctor Franklin never approved of it in the Federal Convention, but even to the last expressed his apprehension that it would end in despotism, though he and several others joined it out of submission to the majority, and as the best they could obtain to lay before the people. Messrs. [George] Mason, [Elbridge] Gerry, and [Edmund] Randolph, who refused absolutely to sign the system, were also patriots who souls had been tried, and many such characters retired hopeless before the question was taken.

With respect to the majority, I do not doubt the testimony of a dignified supporter of the system that they were all, or nearly all, eminent lawyers; but I do doubt the patriotism and political virtue of several of the most eminently active of them, but it is not with the men, but with the plan to which they gave birth, we have to contend, and to contend with such a degree of moderation and firmness as will best promote political security shall be the endeavor of HAMPDEN.

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