

A Citizen of New-York: An Address to the People of the State of New York, 15 April 1788

The pamphlet was written by John Jay—the Confederation Secretary for Foreign Affairs and author of five numbers of *The Federalist*. Jay essentially identified himself as “A Citizen of New-York” when he sent the pamphlet to George Washington on 20 April, five days after it was offered for sale.

These things have been gradually coming upon us ever since the peace—they have been perceived and proclaimed, but the universal rage and pursuit of private gain conspired with other causes, to prevent any proper efforts being made to meliorate our condition by due attention to our national affairs, until the late Convention was convened for that purpose. From the result of their deliberations, the States expected to derive much good, and should they be disappointed, it will probably be not less their misfortune than their fault. That Convention was in general composed of excellent and tried men—men who had become conspicuous for their wisdom and public services, and whose names and characters will be venerated by posterity. Generous and candid minds cannot perceive without pain, the illiberal manner in which some have taken the liberty to treat them; nor forbear to impute it to impure and improper motives—zeal for public good, like zeal for religion, may sometimes carry men beyond the bounds of reason, but it is not conceivable, that on this occasion, it should find means so to enebriate any *candid* American, as to make him forget what he owed to truth and to decency, or induce him either to believe or to say, that the almost unanimous advice of the Convention, proceeded from a wicked combination and conspiracy against the liberties of their country. This is not the temper with which we should receive and consider their recommendations, nor the treatment that would be worthy either of us or of them. Let us continue careful therefore that facts do not warrant historians to tell future generations, that envy, malice and uncharitableness pursued our patriotic benefactors to their graves, and that not even pre-eminence in virtue, nor lives devoted to the public, could shield them from obloquy and detraction. On the contrary, let our bosoms always retain a sufficient degree of honest indignation to disappoint and discourage those who expect our thanks or applause for calumniating our most faithful and meritorious friends.

The Convention concurred in opinion with the people, that a national government *competent to every national object*, was indispensably necessary; and it was as plain to them, as it now is to all America, that the present confederation does not provide for such a government. These points being agreed, they proceeded to consider how and in what manner such a Government could be formed, as on the one hand should be sufficiently energetic to raise us from our prostrate and distressed situation, and on the other be perfectly consistent with the liberties of the people of every State. Like men to whom the experience of other ages and countries had taught wisdom, they not only determined that it should be erected by, and depend on the people; but remembering the many instances in which Governments vested solely in one man, or one body of men, had degenerated into tyrannies, they judged it most prudent that the three great branches of power should be committed to different hands, and therefore that the executive should be separated from the legislative, and the judicial from both. Thus far the

propriety of their work is easily seen and understood, and therefore is thus far *almost* universally approved—for no one man or thing under the sun ever yet pleased every body.

The next question was, what particular powers should be given to these three branches? Here the different views and interests of the different States, as well as the different abstract opinions of their members on such points, interposed many difficulties. Here the business became complicated, and presented a wide field for investigation; too wide for every eye to take a quick and comprehensive view of it.

It is said that “in a multitude of counsellors there is safety,”³ because in the first place, there is greater security for probity; and in the next, if every member casts in only his mite of information and argument, their joint stock of both will thereby become greater than the stock possessed by any one single man out of doors. Gentlemen out of doors therefore should not be hasty in condemning a system, which probably rests on more good reasons than they are aware of, especially when formed under such advantages, and recommended by so many men of distinguished worth and abilities.

The difficulties before mentioned occupied the Convention a long time, and it was not without mutual concessions that they were at last surmounted. These concessions serve to explain to us the reason why some parts of the system please in some States, which displease in others; and why many of the objections which have been made to it, are so contradictory and inconsistent with one another. It does great credit to the temper and talents of the Convention, that they were able so to reconcile the different views and interests of the different States, and the clashing opinions of their members, as to unite with such singular and almost perfect unanimity in any plan whatever, on a subject so intricate and perplexed. It shews that it must have been thoroughly discussed and understood; and probably if the community at large had the same lights and reasons before them, they would, if equally candid and uninfluenced, be equally unanimous. . . .

The men who formed this plan are Americans, who had long deserved and enjoyed our confidence, and who are as much interested in having a good government as any of us are, or can be. They were appointed to that business at a time when the States had become very sensible of the derangement of our national affairs, and of the impossibility of retrieving them under the existing Confederation. Although well persuaded that nothing but a good national Government could oppose and divert the tide of evils that was flowing in upon us, yet those gentlemen met in Convention with minds perfectly unprejudiced in favor of any particular plan. The minds of their Constituents were at that time equally unbiassed, equally cool and dispassionate. All agreed in the necessity of doing something, but no one ventured to say decidedly what precisely ought to be done—opinions were then fluctuating and unfixed, and whatever might have been the wishes of a few individuals, yet while the Convention deliberated, the people remained in silent suspence. Neither wedded to favorite systems of their own, nor influenced by popular ones abroad, the members were more desirous to receive light from, than to impress their private sentiments on one another. These circumstances naturally opened the door to that spirit of candor, of calm enquiry, of mutual accommodation,

and mutual respect, which entered into the Convention with them, and regulated their debates and proceedings.

The impossibility of agreeing upon any plan that would exactly quadrate with the local policy and objects of every State, soon became evident; and they wisely thought it better mutually to concede, and accommodate, and in that way to fashion their system as much as possible by the circumstances and wishes of the different States, than by pertinaciously adhering, each to his own ideas, oblige the Convention to rise without doing any thing. They were sensible that obstacles arising from local circumstances, would not cease while those circumstances continue to exist; and so far as those circumstances depended on differences of climate, productions, and commerce, that no change was to be expected. They were likewise sensible that on a subject so comprehensive, and involving such a variety of points and questions, the most able, the most candid, and the most honest men will differ in opinion. The same proposition seldom strikes many minds exactly in the same point or light: different habits of thinking, different degrees and modes of education, different prejudices and opinions early formed and long entertained, conspire with a multitude of other circumstances, to produce among men a diversity and contrariety of opinions on questions of difficulty. Liberality therefore as well as prudence, induced them to treat each other's opinions with tenderness, to argue without asperity, and to endeavor to convince the judgment without hurting the feelings of each other. Although many weeks were passed in these discussions, some points remained, on which a unison of opinions could not be effected. Here again that same happy disposition to unite and conciliate, induced them to meet each other; and enabled them by mutual concessions, finally to compleat and agree to the plan they have recommended, and that too with a degree of unanimity, which, considering the variety of discordant views and ideas they had to reconcile, is really astonishing.

They tell us very honestly that this plan is the result of accommodation—they do not hold it up as the best of all possible ones, but only as the best which they could unite in, and agree to.⁵ If such men, appointed and meeting under such auspicious circumstances, and so sincerely disposed to conciliation, could go no further in their endeavors to please every State and every body, what reason have we at present to expect any system that would give more general satisfaction?

Suppose this plan to be rejected, what measures would you propose for obtaining a better? Some will answer, let us appoint another Convention, and as every thing has been said and written, that can well be said and written on the subject, they will be better informed than the former one was, and consequently be better able to make and agree upon a more eligible one.

This reasoning is fair, and as far as it goes has weight; but it nevertheless takes one thing for granted, which appears very doubtful; for although the new Convention might have more information, and perhaps equal abilities, yet it does not from thence follow that they would be equally *disposed to agree*. The contrary of this position is the most probable. You must have observed that the same temper and equanimity which prevailed among the people on the former occasion, no longer exists. We have unhappily become divided into parties, and this

important subject has been handled with such indiscreet and offensive acrimony, and with so many little unhandsome artifices and misrepresentations, that pernicious heats and animosities have been kindled, and spread their flames far and wide among us. When therefore it becomes a question who shall be deputed to the new Convention; we cannot flatter ourselves that the talents and integrity of the candidates will determine who shall be elected. Fœderal electors will vote for fœderal deputies, and anti-fœderal electors for anti-fœderal ones. Nor will either party prefer the most moderate of their adherents, for as the most staunch and active partizans will be the most popular, so the men most willing and able to carry points, to oppose, and divide, and embarrass their opponents will be chosen. A Convention formed at such a season, and of such men, would be but too exact an epitome of the great body that named them. The same party views, the same propensity to opposition, the same distrusts and jealousies, and the same un-accomodating spirit which prevail without, would be concentrated and ferment with still greater violence within. Each deputy would recollect *who* sent him, and *why* he was sent; and be too apt to consider himself bound in honor, to contend and act vigorously under the standard of his party, and not hazard their displeasure by preferring compromise to victory. As vice does not sow the seeds of virtue, so neither does passion cultivate the fruits of reason. Suspicions and resentments create no disposition to conciliate, nor do they infuse a desire of making partial and personal objects bend to general union and the common good. The utmost efforts of that excellent disposition were necessary to enable the late Convention to perform their task; and although contrary causes sometimes operate similar effects, yet to expect that discord and animosity should produce the fruits of confidence and agreement, is to expect “grapes from thorns, and figs from thistles. . . .”

These considerations merit much attention, and candid men will judge how far they render it probable that a new Convention would be able either to agree in a better plan, or with tolerable unanimity, in any plan at all. Any plan forcibly carried by a slender majority, must expect numerous opponents among the people, who, especially in their present temper, would be more inclined to reject than adopt any system so made and carried. We should in such a case again see the press teeming with publications for and against it; for as the minority would take pains to justify their dissent, so would the majority be industrious to display the wisdom of their proceedings. Hence new divisions, new parties, and new distractions would ensue, and no one can foresee or conjecture when or how they would terminate. . . .

Receive this Address with the same candor with which it is written; and may the spirit of wisdom and patriotism direct and distinguish your counsels and your conduct.

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