

Demosthenes Minor

Gazette of the State of Georgia, 22 November 1787

Friends and Federalists: You have seen and perused (I hope with no degree of pain) the Georgian. Though I could wish it never had appeared, yet from it apprehend no danger. T is true we have a few dangerous *characters* amongst us which require the vigilance of good citizens to frustrate their gloomy exertions. A consciousness of inability to wound our tranquility by personal influence, or to afford anything like solid argument or calm discussion, will ever keep them concealed; their pen may inflame weak minds, but time will discover [244] the fiction, and the author will fall a victim to his own folly. Who, so far from furnishing the public with useful hints on a subject of the last importance, has only discovered symptoms of diseases extremely dangerous and equally fatal to fair investigation, viz., strong vanity, a weak brain, and disturbed imagination. Quixotism itself would hardly attempt such a measure; his temper must be soured, having lost his political consequence, and, free from the shackles of conscience, he is impelled, by a natural desire of revenge, now sharpened by envy, to commence war against the whole world. For this purpose he has perfected with the utmost diligence in a knowledge of cunning evasions and subtle defenses, endeavoring to overreach probity and defeat justice. I am far from maligning the person, nor in my heart wish I ill to any man; but, my countrymen, to you I appeal, if it is not high time to grub up that root which had its source in a distempered brain and bad heart, producing noxious and infectious fruit. Can he be fond of justice who breaks through the most obvious rules to gratify his pride and ill nature, affecting a conscientious scrupulousness and strict integrity, yet discovering a manifest bias and partiality, raising altars of vainglory to himself, by appearing against a good cause, and upon wrong principles? Shall such a person then set himself up for the oracle of state and put his judgment in competition with (to use his own words) the political saviors of their country? God forbid! But, my countrymen, let us with strict justice and inflexible integrity divest ourselves of prejudice, be under no influences, be determined by truth and reason, and the real merits of the case. His prefatory observations are merely anticipations of domestic evils, in which he has substituted round assertions for argument; but, to have some show or appearance of plausibility and to impose on the credulity and weakness of the people, he has begun by articles, and enumerated his complaints, and had the assurance to point out means of relief.

Imprimis, Article I, section 2. “Within three years after the meeting of the Congress of the United States, an enumeration shall take place, the number of representatives not to exceed one member for every 30,000.” “This article,” saith he, “I believe to be inadmissible.” But hear his reason, because “it affords too small a representation, especially in the Southern States, their climate, soil, and produce, to a large extent back, not being capable of that population as in the Northern.” The very position is absurd. Did I wish to cavil upon words, I would tell him that climate, soil, and produce was not capable of population; but, for the sake of argument, I will admit the idea that he would have conveyed, viz., that the Southern States would not populate so rapidly as the Northern. But I deny it. The [245] soil is experimentally known to be as luxuriant as any under the canopy; they are prompted to marry at an earlier period and are sufficiently mature for the propagation of the species. He concludes his observations on the 2d section by obtruding upon the public causes and effects which can have no possible relation, and, if capable, would make use of the vain subtlety of argumentation. But, in the sincerity of my heart, I will not refuse my assent to his being debased in principle and actuated by self-interest. Yet I do not conceive the

inference he deduces therefrom to be just, viz., that that enlightened, dignified, venerable, and august body can possibly be influenced by the same principles when we consider that the wisest checks to ambition and licentiousness, and the most admirable fetters to self-interest, are instituted for them. There exists in man an innate principle of justice and goodness by which, in spite of *maxims*, we judge of others by ourselves. But, my countrymen, let us not be blind admirers of this system. The President, Senate, and House of Representatives are proposed to be appointed thus: the President to be chosen by Electors nominated in such a manner as the legislature of each state may direct; 2dly, the Senate is to be composed of two Senators from each state chosen by the legislature; 3dly, the House of Representatives is to be chosen every second year by the people of the several states. Thus the legislative, executive, and judicial powers are completely separated and accurately balanced. He in the next place proceeds to Article I, section 4 and observes that he could wish these words to be erased, “*But the Congress may at any time by law make or alter such regulations, except as to the places of choosing senators,*” for which he has not given any reason except the old royal argument, “*sic volo.*”

Article I, section 6. Here he suggests that it will be detrimental to the states for Congress to have it in their power to pay themselves. I would obviate that objection by asking this simple question: What barrier would it be to the solid enjoyment of political liberty? He then endeavors to interpret the meaning of the section by a punctual deviation from truth and has the *consummate impudence* to prescribe how the section should be read.

“Article I, section 8,” saith he, “the words TAXES and EXCISES are inadmissible, and I would recommend them to be expunged; for, by this section, as it stands, there is no limited taxation and no check.” But, my countrymen, you will not consider this an improper delegation when you are informed that it is their duty to provide for the national safety and support the dignity of the Union, and to discharge the debts contracted upon the collective faith of the states. Certainly those upon whom such important obligations are imposed [246] ought to possess every means requisite for a performance of their trust. This salutary consequence affords an answer to the objection. He has then endeavored assiduously to disseminate the seeds of discontent by asserting that the civil list of England was not but a few hundred pounds many years since, and now it is far above a million. Wonderful historian! I will not desire him to advert to [David] Hume to undeceive him, but, my countrymen, we differ materially from *Great Britain*. The only discrimination I need make at present is this, viz., that our views and objects are not the same; we wish to circumscribe our dominion; they to enlarge. He now is weak enough to make this observation, viz., “That part of the 8th section respecting *tribunals* is utterly inadmissible, it threatening to annihilate all state jurisdictions,” and concludes with observing that “it ought to be expunged.” But upon what pretense can it be alleged? For upon the very existence of a state legislature depends the existence of the federal government; for is not the President to be chosen by Electors nominated in such a manner as the legislature of each state may direct; so that if there is no legislature there can be no Electors, and consequently the office of President cannot be supplied.


Again, he has objected to the toleration of an army in time of peace, yet has not offered any reason, but had the effrontery to dictate in what manner the section should be read. Notwithstanding it can be demonstrated that it is absolutely necessary to maintain the appearance of strength in a season of tranquility, it would tend to the subversion of policy, for the

government must declare war before they are prepared to carry it on; and, however necessary secrecy might be, yet the enemy would be informed of your intention before you were prepared for an attack. The consequence is obvious.

Article I, section 9. To this Article he would make an addition, but has adduced not any argument except mere volition.

Article 2, section 1. In observing upon this section he recapitulates his rhapsody of nonsense, for the refutation of which I refer you to the remarks on Article I, section 2.

Article 2, section 2. Here he attempts to alarm you by calling to your mind the perturbations and commotions in Holland; but their situation is not analogous to a government founded on free principles, so divided that neither department should be suffered to transcend its legal limits without being effectually checked and restrained by the other.

Article 3, section 1. The comments made upon this Article are merely vain exclamations against the Constitution for abolishing the trial by jury. In civil cases, surely, all causes that should be determined by a court of equity do not require the intervention of that [247 ]tribunal, and there being a representation of the people in Congress, the oppression is barred by declaring that in all criminal cases the trial by jury shall be preserved.

At the conclusion of the 4th Article, section 5, he would subjoin, “the freedom of the press and trial by jury shall be held sacred and inviolate throughout the United States forever.” What control has the federal government upon that sacred palladium of national freedom? It would have been as unnecessary to stipulate that the freedom of the press should be preserved inviolate as that the impost should be general in its operation; the very declaration would have been deemed nugatory, and an implication that some degree of power was given. In short, everything that is not reserved is given.^{[1](#)}

Thus, fellow citizens, have I obviated the objections raised by this demon of discord and faction, and I hope proved that his chimerical dangers are illusive. Let him hence learn to be modest or else seek that solitude for which nature has calculated him, pine in secret, and sink unnoticed into oblivion. Perhaps to point out the obvious advantages may be deemed affrontive to the good understanding and unnecessary until farther attempts are made to deceive you. The most brilliant imagination, in the most rapturous style, adhering to seraphic truth, cannot bestow sufficient commendations. Let us, my countrymen, with decided unanimity, resolve to adopt, perpetuate, and support it, and embrace the heaven-sent opportunity of securing the invaluable blessing of liberty and independence.

[1](#)

This sentence was corrected in the next issue of the *Gazette of the State of Georgia*, 29 November, to read “Everything is reserved that is not given.”

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