

ferred to the national [Legislature]; the local and particular to the state legislatures.

The other point of difference is the greater number of citizens and extent of territory which may be brought within the compass of republican than of democratic government; and it is this circumstance principally which renders factious combinations less to be dreaded in the former, than in the latter. The smaller the society, the fewer probably will be the distinct parties and interests composing it; the fewer the distinct parties and interests, the more frequently will a majority be found of the same party; and the smaller the number of individuals composing a majority, and the smaller the compass [area] within which they are placed, the more easily will they concert [agree] and execute their plans of oppression. Extend the sphere, and you take in a greater variety of parties and interests; you make it less probable that a majority of the whole will have a common motive to invade the rights of other citizens; or if such a common motive exists, it will be more difficult for all who feel it to discover their own strength, and to act in unison with each other. Besides other impediments [obstacles], it may be remarked that where there is a consciousness of unjust or dishonorable purposes, communication is always checked by distrust, in proportion to the number whose concurrence [agreement] is necessary.

Hence, it clearly appears that the same advantage which a republic has over a democracy, in controlling the effects of faction, is enjoyed by a large over a small republic—is enjoyed by the Union over the states composing it. Does the advantage consist in the substitution of representatives, whose enlightened views and virtuous sentiments render them superior to local prejudices, and to schemes of injustice? It will not be denied that the representation of the Union will be most likely to possess these requisite endowments [gifts of nature]. Does it consist in the greater security afforded by a greater variety of parties, against the event of any one party being able to outnumber and oppress the rest? In an equal degree, does the increased variety of parties, comprised within the Union, increase this security? Does it, in fine, consist in the greater obstacles opposed to the concert and accomplishment of the secret wishes of an unjust and interested majority? Here, again, the extent of the Union gives it the most palpable [obvious] advantage.

The influence of factious leaders may kindle a flame within their

particular states, but will be unable to spread a general conflagration through the other states. A religious sect may degenerate into a political faction in a part of the confederacy; but the variety of sects dispersed over the entire face of it must secure the national councils against any danger from that source. A rage for paper money, for an abolition of debts, for an equal division of property, or for any other improper and wicked project will be less apt to pervade the whole body of the Union than a particular member of it; in the same proportion as such a malady is more likely to taint a particular county or district than an entire state.

In the extent and proper structure of the Union, therefore, we behold a republican remedy for the diseases most incident [apt to occur] to republican government. And according to the degree of pleasure and pride we feel in being republicans, ought to be our zeal in cherishing the spirit and supporting the character of federalists.

## George Washington's Proclamation of Neutrality

*"...the duty and interest of the United States require... a conduct friendly and impartial toward the belligerent powers..."*

In 1789, revolution broke out in France. Fighting under the slogan, "Liberté, Egalité, et Fraternité," the revolutionists won control of the government. Once in power, they turned upon the former rulers, beheading thousands of the French nobility, among them King Louis XVI and Queen Marie Antoinette.

The French Revolution alarmed the monarchs and the ruling classes of other countries, and their efforts to prevent the revolution from spreading brought them into conflict with the new French government. By 1793 a number of countries, including England, were at war with France.

It is in vain to say that enlightened statesmen will be able to adjust these clashing interests and render them all subservient to [disposed to serve] the public good. Enlightened statesmen will not always be at the helm; nor, in many cases, can such an adjustment be made at all, without taking into view indirect and remote considerations, which will rarely prevail over the immediate interest which one party may find in disregarding the rights of another or the good of the whole.

The inference to which we are brought is that the causes of faction cannot be removed, and that relief is only to be sought in the means of controlling its effects.

If a faction consists of less than a majority, relief is supplied by the republican principle, which enables the majority to defeat its sinister views by regular vote. It may clog the administration, it may convulse [shake up] the society; but it will be unable to execute and mask its violence under the forms of the Constitution. When a majority is included in a faction, the form of popular government, on the other hand, enables it to sacrifice to its ruling passion or interest both the public good and the rights of other citizens. To secure the public good, and private rights, against the danger of such a faction, and at the same time to preserve the spirit and the form of popular government, is then the great object to which our inquiries are directed. Let me add that it is the great *desideratum* [desired objective] by which alone this form of government can be rescued from the opprobrium [disgrace] under which it has so long labored, and be recommended to the esteem and adoption of mankind. . . .

A republic, by which I mean a government in which the scheme of representation takes place . . . and promises the cure for which we are seeking. Let us examine the points in which it varies from pure democracy, and we shall comprehend both the nature of the cure and the efficacy [effectiveness] which it must derive from the union.

The two great points of difference between a democracy and a republic are: First, the delegation of the government, in the latter, to a small number of citizens elected by the rest; secondly, the greater number of citizens, and greater sphere of country, over which the latter may be extended.

The effect of the first difference is, on the one hand, to refine and enlarge the public views, by passing them through the medium of a chosen body of citizens, whose wisdom may best discern the true in-

terest of their country, and whose patriotism and love of justice will be least likely to sacrifice it to temporary or partial considerations. Under such a regulation, it may well happen that the public voice, pronounced by the representatives of the people, will be more consonant to [in harmony with] the public good than if pronounced by the people themselves, convened for the purpose. On the other hand, the effect may be inverted. Men of factious [dissenting] tempers, of local prejudices, or of sinister designs, may by intrigue, by corruption, or by other means, first obtain the suffrages [rights to vote], and then betray the interests of the people. The question resulting is, whether small or extensive republics are most favorable to the election of proper guardians of the public weal [well-being]; and it is clearly decided in favor of the latter by two obvious considerations.

In the first place, it is to be remarked that, however small the republic may be, the representatives must be raised to a certain number, in order to guard against the cabals [intrigues] of a few; and that, however large it may be, they must be limited to a certain number, in order to guard against the confusion of a multitude. Hence, the number of representatives in the two cases not being in proportion to that of the constituents, and being proportionally greatest in the small republic, it follows that if the proportion of fit characters be not less in the large than in the small republic, the former will present a greater option, and consequently a greater probability of a fit choice.

In the next place, as each representative will be chosen by a greater number of citizens in the large than in the small republic, it will be more difficult for unworthy candidates to practice with success the vicious arts, by which elections are too often carried; and the suffrages of the people, being more free, will be more likely to center in men who possess the most attractive merit and the most diffusive and established characters.

It must be confessed that in this, as in most other cases, there is a mean, on both sides of which inconveniences will be found to lie. By enlarging too much the number of electors, you render the representative too little acquainted with all their local circumstances and lesser interests; as by reducing it too much, you render him unduly attached to these, and too little fit to comprehend and pursue great and national objects. The federal Constitution forms a happy combination in this respect; the great and aggregate interests being re-

ernment ever written." This statement, ironically enough, was made by Jefferson, one of the foremost opponents of the Federalist point of view.

Number 10, written by Madison, discusses the economic roots of the conflicting interests that give rise to factions (political parties) and the best means of controlling their activities, as well as the tyranny of the majority.

*November 24, 1787*

Among the numerous advantages promised by a well-constructed union, none deserves to be more accurately developed than its tendency to break and control the violence of faction. The friend of popular governments never finds himself so much alarmed for their character and fate as when he contemplates their propensity [inclination] to this dangerous vice....

By a faction, I understand a number of citizens, whether amounting to a majority or minority of the whole, who are united and actuated [moved] by some common impulse of passion, or of interest, adverse to the rights of other citizens or to the permanent and aggregate [collective] interests of the community.

There are two methods of curing the mischiefs of faction: the one, by removing its causes; the other, by controlling its effects.

There are again two methods of removing the causes of faction: the one, by destroying the liberty which is essential to its existence; the other, by giving to every citizen the same opinions, the same passions, and the same interests.

It could never be more truly said than of the first remedy, that it was worse than the disease. Liberty is to faction what air is to fire, an ailment without which it instantly expires. But it could not be less folly to abolish liberty, which is essential to political life, because it nourishes faction, than it would be to wish the annihilation of air, which is essential to animal life, because it imparts to fire its destructive agency.

The second expedient is as impracticable as the first would be unwise. As long as the reason of man continues fallible [capable of error], and he is at liberty to exercise it, different opinions will be

formed. As long as the connection subsists between his reason and his self-love, his opinions and his passions will have a reciprocal [mutually dependent] influence on each other; and the former will be objects to which the latter will attach themselves. The diversity in the faculties of men, from which the rights of property originate, is not less an insuperable [incapable of being overcome] obstacle to a uniformity of interests. The protection of these faculties is the first object of government. From the protection of different and unequal faculties of acquiring property, the possession of different degrees and kinds of property immediately results; and from the influence of these on the sentiments and views of the respective proprietors ensues a division of the society into different interests and parties.

The latent [hidden] causes of faction are thus sown in the nature of man; and we see them everywhere brought into different degrees of activity, according to the different circumstances of civil society. A zeal for different opinions concerning religion, concerning government, and many other points, as well of speculation [contemplation] as of practice; an attachment to different leaders ambitiously contending for pre-eminence and power, or to persons of other descriptions whose fortunes have been interesting to the human passions, have, in turn, divided mankind into parties, inflamed them with mutual animosity [spite], and rendered them much more disposed to vex and oppress each other, than to co-operate for their common good. So strong is this propensity of mankind to fall into mutual animosities, that where no substantial occasion presents itself, the most frivolous and fanciful distinctions have been sufficient to kindle their unfriendly passions and excite their most violent conflicts. But the most common and durable source of factions has been the various and unequal distribution of property. Those who hold and those who are without property have ever formed distinct interests in society. Those who are creditors and those who are debtors fall under a like discrimination [show similar marked differences]. A landed interest, a manufacturing interest, a mercantile interest, a moneyed interest, with many lesser interests, grow up of necessity in civilized nations, and divide them into different classes, actuated by different sentiments and views. The regulation of these various and interfering interests forms the principal task of modern legislation, and involves the spirit of party and faction in the necessary and ordinary operations of the government....

*Amendment 21 (1933)*

~~Section 1.~~ The eighteenth article of amendment to the Constitution of the United States is hereby repealed.

~~Section 2.~~ The transportation or importation into any state, territory, or possession of the United States for delivery or use therein of intoxicating liquors, in violation of the laws thereof, is hereby prohibited.

~~Section 3.~~ This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by conventions in the several states, as provided in the Constitution, within seven years from the date of the submission hereof to the states by the Congress.]

*Amendment 22 (1951)*

~~Section 1.~~ No person shall be elected to the office of the President more than twice, and no person who has held the office of President, or acted as President, for more than two years of a term to which some other person was elected President shall be elected to the office of the President more than once. [But this Article shall not apply to any person holding the office of President when this Article was proposed by the Congress, and shall not prevent any person who may be holding the office of President, or acting as President, during the term within which this Article becomes operative from holding the office of President or acting as President during the remainder of such term.]

~~Section 2.~~ This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of three-fourths of the several states within seven years from the date of its submission to the states by the Congress.]

*Amendment 23 (1961)*

~~Section 1.~~ The District constituting the seat of government of the United States shall appoint in such manner as the Congress may direct:

~~A number of electors of President and Vice-President equal to the whole number of Senators and Representatives in Congress to which the District would be entitled if it were a state, but in no event more than the least populous state; they shall be in addition to those ap-~~

~~pointed by the states, but they shall be considered, for the purposes of the election of President and Vice-President, to be electors appointed by a state; and they shall meet in the District and perform such duties as provided by the twelfth article of amendment.~~

~~Section 2.~~ The Congress shall have power to enforce this article by appropriate legislation.

*The Federalist, Number 10*

*"...the most common and durable source of factions has been the various and unequal distribution of property."*

After the Constitutional Convention had forwarded the Constitution to the states for their consideration and then adjourned in September 1787, the prospects of ratification seemed dark indeed. Opinion was sharply divided between the Federalists, who favored a stronger central government, and the Anti-Federalists, who opposed any loss of state sovereignty. Speaking of the Anti-Federalists and their attitude toward the Constitution, John Pierce of Georgia declared, "Some will oppose it from pride, some from self-interest, some from ignorance, but the greater number will be of that class who will oppose it from a dread of its swallowing up the individuality of the States."

Arguments pro and con filled the newspapers and rang out heatedly in social gatherings during the closing months of 1787 and throughout the year 1788. In New York City, a series of eighty-five letters arguing in favor of the Constitution appeared in the newspapers. The letters, signed simply Publius, were actually the work of Alexander Hamilton, James Madison, and John Jay.

Although the essays were prepared primarily to persuade New York to ratify the Constitution, they came in time to be recognized as "the best commentary on the principles of gov-

wills of the several parts to a general end; to which purposes in the opinion of Congress the present confederation is altogether inadequate.

And Whereas on the spirit which may direct the councils and measures of these states at the present juncture may depend their future safety and welfare; Congress conceive it to be their duty freely to state to their constituents the defects which by experience have been discovered in the present plan of the Federal Union and solemnly to call their attention to a revival and amendment of the same:

Therefore Resolved that it be earnestly recommended to the several states to appoint a convention to meet at \_\_\_ on the \_\_\_ day of \_\_\_ with full powers to revise the confederation and to adopt and propose such alterations as to them shall appear necessary to be finally approved or rejected by the states respectively—and that a Committee of \_\_\_ be appointed to prepare an address upon the subject.

## A South Carolinian Argues Against a Stronger National Government

*Rawlins Lowndes*

When the Constitutional Convention submitted the U.S. Constitution to the various states for ratification in 1787, it sparked many lively debates in the state legislatures. While many leaders spoke in favor of the strong national government that the Constitution would implement, many others expressed their fears that national government under the Constitution would be just as oppressive as parliamentary rule had been before the Revolution. Oftentimes, these leaders praised the Articles of Confederation for establishing exactly the type of national government that the patriots had demanded during the struggle with Great Britain.

Rawlins Lowndes was a longtime member of the South Carolina colonial and state assemblies, and in 1778–1779 he served as the state's chief executive. When the U.S. Constitution was debated before the South Carolina state legislature in 1788, he was the most prominent figure to speak against its ratification. This selection is an excerpt from a transcription of a speech he gave before the legislature during the debate.

As you read, consider the following questions:

1. Why did Lowndes think more highly of the Articles of Confederation than he did of the U.S. Constitution?
2. What did Lowndes fear would happen if the Constitution was ratified?

Rawlins Lowndes, speech before the South Carolina State Legislature, 1788.

Hon. Rawlins Lowndes declared himself almost willing to give up his post,<sup>1</sup> finding he was opposed by such a phalanx of able antagonists, any one of them possessing sufficient abilities to contend with him; but as a number of respectable members, men of good sense, though not in the habit of speaking in public, had requested that he would state his sentiments, for the purpose of gaining information on such points as seemed to require it,—rather in compliance, therefore, with their wishes, than any inclination on his part, he should make a few further observations on the subject. Much had been said, from different parts of the house, against the old Confederation—that it was such a futile, inefficient, impolitic government as to render us the objects of ridicule and contempt in the eyes of other nations. He could not agree to this, because there did not appear any evidence of the fact, and because the names of those gentlemen who had signed the old Confederation were eminent for patriotism, virtue, and wisdom,—as much so as any set of men that could be found in America,—and their prudence and wisdom particularly appeared in the care which they had taken sacredly to guarantee the sovereignty of each state. The treaty of peace expressly agreed to acknowledge us as free, sovereign, and independent states, which privileges we lived at present in the exercise of. But this new Constitution at once swept those privileges away, being sovereign over all; so that this state would dwindle into a mere skeleton of what it was; its legislative powers would be pared down to little more than those now vested in the corporation; and he should value the honor of a seat in the legislature in no higher estimation than a seat in the city council. Adverting to the powers given to the President, he considered them as enormous, particularly in being allowed to interfere in the election of members in the House of Representatives; astonishing that we had not this reserved to us, when the senators were to

1. He was a state legislator.

be chosen from that body:—thinks it might be so managed that the different legislatures should be limited to the passing a few laws for regulating ferries and roads.

The honorable gentleman went into an investigation of the weight of our representation in the proposed government, which he thought would be merely virtual, similar to what we were allowed in England, whilst under the British government. We were then told that we were represented in Parliament; and this would, in the event, prove just such another. The mode of choosing senators was exceedingly exceptional. It had been the practice formerly to choose the Senate or council for this state from that house, which practice proved so inconvenient and oppressive, that, when we framed our present Constitution, great care was taken to vest the power of electing the Senate originally with the people, as the best plan for securing their rights and privileges. He wished to know in what manner it was proposed to elect the five representatives. Was it to be done in this city? or would some districts return one member, and others none at all?

Still greater difficulties would be found in the choice of a President, because he must have a majority of ninety-one votes in his favor. For the first President there was one man to whom all America looked up, (General Washington,) and for whom he most heartily would vote; but after that gentleman's administration ceased, where could they point out another so highly respected as to concentrate a majority of ninety-one persons in his favor? and if no gentleman should be fully returned, then the government must stand still. He went over much of the ground which he had trod the preceding day, relative to the Eastern States<sup>2</sup> having been so guarded in what they had conceded to gain the regulation of our commerce, which threw into their hands the carrying trade, and put it in their power to lay us under payment of whatever freightage they thought proper to impose. It was their interest to do so, and no person could

2. New England

doubt but they would promote it by every means in their power. He wished our delegates had sufficiently attended to this point in the Convention—had been more attentive to this object, and taken care to have it expressed, in this Constitution, that all our ports were open to all nations; instead of putting us in the power of a set of men who may fritter away the value of our produce to a little or nothing, by compelling payment of exorbitant freightage. Neither did he believe it was in the power of the Eastern States to furnish a sufficient number of ships to carry our produce. It was, indeed, a general way of talking, that the Eastern States had a great number of seamen, a vast number of ships; but where were they? Why did they not come here now, when ships are greatly wanted? He should always wish to give them a preference, and so, no doubt, would many other gentlemen; and yet very few ships come here from the Eastern States. Another exceptionable point was, that we were to give up the power of taxing ourselves. During our connection with Great Britain, she left us the power of raising money in any way most convenient: a certain sum was only required to defray the public wants, but no mode of collecting it ever prescribed. In this new Constitution, every thing is transferred, not so much power being left us as Lord North offered to guaranty to us in his conciliatory plan. Look at the articles of union ratified between England and Scotland. How cautiously had the latter taken care of her interest in reserving all the forms of law—her representation in Parliament—the right of taxation—the management of her revenue—and all her local and municipal interests! Why take from us the right of paying our delegates, and pay them from the federal treasury? He remembered formerly what a flame was raised in Massachusetts, on account of Great Britain assuming the payment of salaries to judges and other state officers; and that this conduct was considered as originating in a design to destroy the independence of their government. Our local expenses had been nearly defrayed by our impost duty; but now that this was given away, and thrown into a general fund, for

the use of all the states indiscriminately, we should be obliged to augment our taxes to carry on our local government, notwithstanding we were to pay a poll tax for our negroes. Paper money, too, was another article of restraint, and a popular point with many; but what evils had we ever experienced by issuing a little paper money to relieve ourselves from any exigency that pressed us? We had now a circulating medium which every body took. We used formerly to issue paper bills every year, and recall them every five, with great convenience and advantage. Had not paper money carried us triumphantly through the war, extricated us from difficulties generally supposed to be insurmountable, and fully established us in our independence? and now every thing is so changed that an entire stop must be put to any more paper emissions, however great our distress may be. It was true, no article of the Constitution declared there should not be jury trials in civil cases; yet this must be implied, because it stated that all crimes, except in cases of impeachment, shall be tried by a jury. But even if trials by jury were allowed, could any person rest satisfied with a mode of trial which prevents the parties from being obliged to bring a cause for discussion before a jury of men chosen from the vicinage, in a manner conformable to the present administration of justice, which had stood the test of time and experience, and ever been highly approved of? Mr. Lowndes expatiated some time on the nature of compacts, the sacred light in which they were held by all nations, and solemnly called on the house to consider whether it would not be better to add strength to the old Confederation, instead of hastily adopting another; asking whether a man could be looked on as wise, who, possessing a magnificent building, upon discovering a flaw, instead of repairing the injury, should pull it down, and build another. Indeed, he could not understand with what propriety the Convention proceeded to change the Confederation; for every person with whom he had conversed on this subject concurred in opinion that the sole object of appointing a convention was to inquire what alterations were necessary

## CHRONOLOGY

in the Confederation, in order that it might answer those salutary purposes for which it was originally intended.

He recommended that another convention should be called; and as the general sense of America appeared now to be known, every objection could be met on fair grounds, and adequate remedies applied where necessary. This mode of proceeding would conciliate all parties, because it was candid, and had a more obvious tendency to do away all inconveniences than the adoption of a government which perhaps might require the bayonet to enforce it; for it could not be expected that the people, who had disregarded the requisitions of Congress, though expressed in language the most elegant and forcible that he ever remembered to have read, would be more obedient to the government until an irresistible force compelled them to be so. Mr. Lowndes concluded a long speech with a glowing eulogy on the old Confederation, and challenged his opponents, whilst one state objected, to get over that section which said, "The Articles of this Confederation shall be inviolably observed in every state, and the Union shall be perpetual; nor shall any alteration at any time hereafter be made in them, unless such alteration be agreed to in a Congress of the United States, and be afterwards confirmed by the legislature of every state."

- 1754 The French and Indian War, the American portion of the Seven Years' War, begin.
- 1763 The French and Indian War ends with a British victory over the French.
- 1765 The Stamp Act is passed by Parliament; the Sons of Liberty is formed to protest the Stamp Act; the Stamp Act Congress declares "no taxation without representation."
- 1766 The Stamp Act is repealed by Parliament; the Declaratory Act is passed by Parliament, wherein it declares its authority to legislate for the colonies in all matters.
- 1767 The Townshend Acts are passed by Parliament.
- 1770 The Battle of Golden Hill takes place in New York City; the Townshend Acts are repealed by Parliament, except for the tax on tea; the Boston Massacre occurs.
- 1773 The Boston Tea Party takes place.
- 1775 The Battles at Lexington, Massachusetts, and Concord, New Hampshire, are fought; the Battle of Bunker Hill oc-



them. And the Articles of this Confederation shall be inviolably observed by every state, and the Union shall be perpetual; nor shall any alteration at any time hereafter be made in any of them, unless such alteration be agreed in a Congress of the United States, and be afterwards confirmed by the legislatures of every state.

## James Madison Argues for a Stronger National Government

*James Madison*

Merchants were among the loudest of those who complained that the Articles of Confederation were too weak. Their biggest complaint was with Article 9, which prohibited Congress from making commercial treaties with America's various trading partners. The individual states retained this power themselves, and yet none of them were large enough to extract favorable trade concessions from any European nation. Meanwhile, all trading advantages that American merchants had enjoyed under the protection of the British Empire had been lost. As a result, many merchants were demanding that the Articles of Confederation be amended so as to protect America's commercial interests.

James Madison was a former congressman from Virginia and a future president. This selection is taken from a 1785 letter to his friend, James Monroe, also a future president. In it, Madison argues that Article 9 should be amended to give Congress the power to regulate international trade. He further argues that other weaknesses in the articles should be amended before the allegiance to the United States of other powerful interest groups is undermined.

As you read, consider the following questions:

1. To Madison, what is the greatest weakness of the Articles of Confederation in general?

*James Madison, Letter to James Monroe, August 7, 1785.*

2. Why did Madison, a southern planter, want to improve the economic situation for merchants, most of whom lived in the northern states?

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Viewing in the abstract the question whether the power of regulating trade, to a certain degree at least, ought to be vested in Congress, it appears to me not to admit of a doubt, but that it should be decided in the affirmative. If it be necessary to regulate trade at all, it surely is necessary to lodge the power, where trade can be regulated with effect, and experience has confirmed what reason foresaw, that it can never be so regulated by the States acting in their separate capacities. They can no more exercise this power separately, than they could separately carry on war, or separately form treaties of alliance or Commerce. The nature of the thing therefore proves the former power, no less than the latter, to be within the reason of the federal Constitution. Much indeed is it to be wished, as I conceive, that no regulations of trade, that is to say, no restrictions or imposts whatever, were necessary. A perfect freedom is the System which would be my choice. But before such a system will be eligible perhaps for the U.S. they must be out of debt; before it will be attainable, all other nations must concur in it. Whilst any one of these imposes on our Vessels seamen &c<sup>1</sup> in their ports, clogs from which they exempt their own, we must either retort the distinction, or renounce not merely a just profit, but our only defence against the danger which may most easily beset us. Are we not at this moment under this very alternative? The policy of G.B.<sup>2</sup> (to say nothing of other nations) has shut against us the channels without which our trade with her must be a losing one; and she has consequently the triumph, as we have the chagrin, of seeing accomplished her prophetic threats, that our independence, should forfeit commercial advantages for which it would not recompense us with any new channels of trade. What is

1. etc. 2. Great Britain

to be done? Must we remain passive victims to foreign politics; or shall we exert the lawful means which our independence has put into our hands, of extorting redress? The very question would be an affront to every Citizen who loves his Country. What then are those means? Retaliating regulations of trade only. How are these to be effectuated? only by harmony in the measures of the States. How is this harmony to be obtained? only by an acquiescence of all the States in the opinion of a reasonable majority. If Congress as they are now constituted, can not be trusted with the power of digesting and enforcing this opinion, let them be otherwise constituted: let their numbers be increased, let them be chosen oftener, and let their period of service be short[ened]; or if any better medium than Congress can be proposed, by which the wills of the States may be concurred, let it be substituted; or lastly let no regulation of trade adopted by Congress be in force until it shall have been ratified by a certain proportion of the States. But let us not sacrifice the end to the means: let us not rush on certain ruin in order to avoid a possible danger. I conceive it to be of great importance that the defects of the federal system should be amended, not only because such amendments will make it better answer the purpose for which it was instituted, but because I apprehend danger to its very existence from a continuance of defects which expose a part if not the whole of the empire to severe distress. The suffering part, even when the minor part, can not long respect a Government which is too feeble to protect their interest; But when the suffering part come to be the major part, and they despair of seeing a protecting energy given to the General Government, from what motives is their allegiance to be any longer expected. Should G.B. persist in the machinations which distress us; and seven or eight of the States be hindered by the others from obtaining relief by federal means, I own, I tremble at the anti-federal expedients into which the former may be tempted. As to the objection against intrusting Congress with a power over trade, drawn from the diversity of interests in the States, it

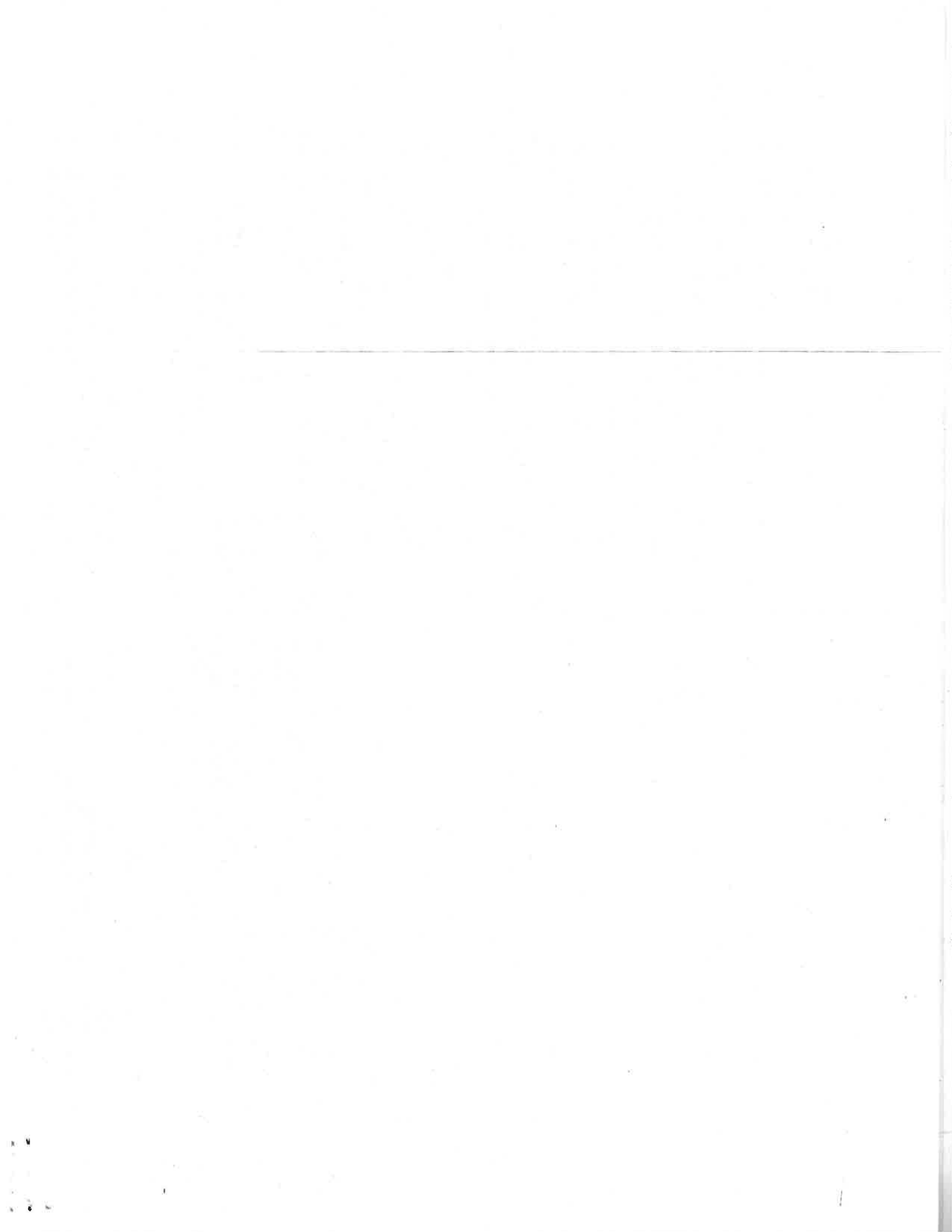
may be answered. 1. that if this objection had been listened to, no confederation could have ever taken place among the States. 2. that if it ought now to be listened to, the power held by Congress of forming Commercial treaties by which 9 States may indirectly dispose of the Commerce of the residue, ought to be immediately revoked. 3. that the fact is that a case can scarcely be imagined in which it would be the interest of any 2/3ds of the States to oppress the remaining 1/3d. 4. that the true question is whether the commercial interests of the States do not meet in more points than they differ. To me it is clear that they do: and if they do there are so many more reasons for, than against, submitting the commercial interest of each State to the direction and care of the Majority. Put the West India trade alone, in which the interest of every State is involved, into the scale against all the inequalities which may result from any probable regulation by nine States, and who will say that the latter ought to preponderate? I have heard the different interest which the Eastern States<sup>3</sup> have as Carriers pointed out as a ground of caution to the Southern States who have no bottoms<sup>4</sup> of their own agst<sup>5</sup> their concurring hastily in retaliations on G.B. But will the present system of G.B. ever give the Southern States bottoms: and if they are not their own Carriers I shod<sup>6</sup>, suppose it no mark either of folly or incivility to give our custom to our brethren rather than to those who have not yet entitled themselves to the name of friends.

In detailing these sentiments I have nothing more in view than to prov[e] the readiness with which I obey your requests. As far as they are just they must have been often suggested in the discussions of Congress on the subject. I can not even give them weight by saying that I have reason to believe they would be relished in the public Councils of this State. From the trials of which I have been a witness I augur that great difficulties will be encountered in every attempt to prevail on the Legislature<sup>7</sup> to part with power. The

3. New England 4. oceangoing vessels 5. against 6. should 7. not Congress, but the Virginia state legislature

thing itself is not only unpalatable, but the arguments which plead for it have not their full force on minds unaccustomed to consider the interests of the State as they are interwoven with those of the Confederacy much less as they may be affected by foreign politics whilst those which plead agst. it, are not only specious, but in their nature popular: and for that reason, sure of finding patrons. Add to all this that the mercantile interest which has taken the lead in rousing the public attention of other States, is in this so exclusively occupied in British Commerce that what little weight they have will be most likely to fall into the opposite scale. The only circumstance which promises a favorable hearing to the meditated proposition of Congs.<sup>8</sup> is that the power which it asks is to be exerted agst. G.B., and the proposition will consequently be seconded by the animosities which still prevail in a strong degree agst. her.

8. which 9. Congress



# A Virginian Argues Against a Stronger National Government

*A Federal Republican*

While James Madison argued for a strong national government of the type created by the U.S. Constitution, many of his fellow Virginians were appalled by the specter of such a government. To their minds, the American Revolution had been fought to remove exactly such a government from a position of dominance over the colonial assemblies. The U.S. Constitution was the last thing they wanted because they believed it would implement an oppressive national government that the individual states would be hard-pressed to resist.

A Federal Republican was an anonymous Virginian who was opposed to ratifying the U.S. Constitution. In this selection from a letter he wrote to a newspaper editor, he argues that the Constitution places entirely too much power in the hands of the federal government. In particular, he opposes giving the federal government the power to raise its own troops, which he believes will be used to suppress any opposition to the federal government.

As you read, consider the following questions:

1. Why does A Federal Republican fear federal troops? Do his fears seem reasonable? If so, why? If not, why not?
2. How does A Federal Republican categorize the Constitutional Convention and the founders? How does this description fit with other descriptions you have heard or read about?

A Federal Republican, "Letter to the Editor," *The Norfolk and Portsmouth Register*, March 5, 1788.

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By the Articles of Confederation, the congress of the United States was vested with powers for conducting the common concerns of the continent. They had the sole and exclusive right and power of determining on peace and war; of sending and receiving ambassadors; of entering into treaties and alliances; and of pointing out the respective quotas of men and money which each state should furnish. But it was expressly provided that the money to be supplied by each state should be raised by the authority and direction of the legislature thereof—thus reserving to the states the important privilege of levying taxes upon their citizens in such manner as might be most conformable to their peculiar circumstances and form of government. With powers thus constituted was congress enabled to unite the general exertions of the continent in the cause of liberty and to carry us triumphantly through a long and bloody war. It was not until sometime after peace and a glorious independence had been established that defects were discovered in that system of federal government which had procured to us those blessings. It was then perceived that the Articles of Confederation were inadequate to the purposes of the union; and it was particularly suggested as necessary to vest in congress the further power of exclusively regulating the commerce of the United States, as well to enable us, by a system more uniform, to counteract the policy of foreign nations, as for other important reasons. Upon this principle, a general convention of the United States was proposed to be held, and deputies were accordingly appointed by twelve of the states' charged with power to revise, alter, and amend the Articles of Confederation. When these deputies met, instead of confining themselves to the powers with which they were entrusted, they pronounced all amendments to the Articles of Confederation wholly impracticable; and with a spirit of amity and concession truly remarkable proceeded to form a government entirely new,

1. Rhode Island did not send delegates to the Constitutional Convention.

and totally different in its principles and its organization. Instead of a congress whose members could serve but three years out of six—and then to return to a level with their fellow citizens; and who were liable at all times, whenever the states might deem it necessary, to be recalled—congress, by this new constitution, will be composed of a body whose members during the time they are appointed to serve, can receive no check from their constituents. Instead of the powers formerly granted to congress of ascertaining each state's quota of men and money—to be raised by the legislatures of the different states in such a mode as they might think proper—congress, by this new government, will be invested with the formidable powers of raising armies, and lending money, totally independent of the different states. They will moreover, have the power of leading troops among you in order to suppress those struggles which may sometimes happen among a free people, and which tyranny will impiously brand with the name of sedition. On one day the state collector will call on you for your proportion of those taxes which have been laid on you by the general assembly, where you are fully and adequately represented; on the next will come the Continental collector to demand from you those taxes which shall be levied by the continental congress, where the whole state of Virginia will be represented by only ten men! Thus shall we imprudently confer on so small a number the very important power of taking our money out of our pockets, and of levying taxes without control—a right which the wisdom of our state constitution will, in vain, have confided to the most numerous branch of the legislature. Should the sheriff or state collector in any manner aggrieve you either in person or property, these sacred rights are amply secured by the most solemn compact. Beside, the arm of government is always at hand to shield you from his injustice and oppression. But if a Continental collector, in the execution of his office, should invade your freedom (according to this new government, which has expressly declared itself paramount to all state laws and constitutions) the state of which you are a

citizen will have no authority to afford you relief. A continental court may, indeed, be established in the state, and it may be urged that you will find a remedy here; but, my fellow citizens, let me ask, what protection this will afford you against the insults or rapacity of a continental officer, when he will have it in his power to appeal to the seat of congress perhaps at several hundred miles distance, and by this means oblige you to expend hundreds of pounds in obtaining redress for twenty shillings unjustly extorted? Thus will you be necessarily compelled either to make a bold effort to extricate yourselves from these grievous and oppressive extortions, or you will be fatigued by fruitless attempts into the quiet and peaceable surrender of those rights, for which the blood of your fellow citizens has been shed in vain. But the latter will, no doubt, be the melancholy fate of a people once inspired with the love of liberty, as the power vested in congress of sending troops for suppressing insurrections will always enable them to stifle the first struggles of freedom.

—*A Federal Republican*

## **Federalist and Anti-federalist debate**

**Issue #1: Need for change. Does the government of the Articles need to be replaced?**

**Issue #2: Can a republic govern a large territory and a diverse population?**

**Issue #3: Will the new constitutional government create an aristocratic power in the presidency?**

**Issue #4: Does the proposed Constitution protect the people's liberty.**

1870-1871

1870-1871

1870-1871

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