

day. Alarms spread from town to town; families were broken up; the tender mother would cry, O my son is among them! . . .

Our distress was so great that we should have been glad to snatch at anything that looked like a government. Had any person that was able to protect us come and set up his standard, we should all have flocked to it, even if it had been a monarch, and that monarch might have proved a tyrant. So that you see that anarchy leads to tyranny; and better have one tyrant than so many at once.

Now, Mr. President, when I saw this Constitution, I found that it was a cure for these disorders. It was just such a thing as we wanted. I got a copy of it and read it over and over. I had been a member of the convention to form our own state constitution, and had learnt something of the checks and balances of power; and I found them all here. I did not go to any lawyer, to ask his opinion—we have no lawyer in our town, and do well enough without. I formed my own opinion, and was pleased with this Constitution. . . .

But I don't think the worse of the Constitution because lawyers, and men of learning, and moneyed men are fond of it. I don't suspect that they want to get into Congress and abuse their power. I am not of such a jealous make. They that are honest men themselves are not apt to suspect other people. . . .

Brother farmers, let us suppose a case, now. Suppose you had a farm of 50 acres, and your title was disputed, and there was a farm of 5,000 acres joined to you that belonged to a man of learning, and his title was involved in the same difficulty. Would you not be glad to have him for your friend, rather than to stand alone in the dispute?

Well, the case is the same—these lawyers, these moneyed men, these men of learning, are all embarked in the same cause with us, and we must all swim or sink together. And shall we throw the Constitution overboard because it does not please us alike? Suppose two or three of you had been at the pains to break up a piece of rough land, and sow it with wheat—would you let it lie waste because you could not agree what sort of a fence to make? Would it not be better to put up a fence that did not please everyone's fancy, rather than not fence it at all, or keep disputing about it until the wild beasts came in and devoured it?

Some gentlemen say, don't be in a hurry; take time to consider; and don't take a leap in the dark. I say, take things in time—gather fruit when it is ripe. There is a time to sow, and a time to reap. We sowed our seed when we sent men to the federal convention. Now is the harvest; now is the time to reap the fruit of our labor. And if we won't do it now, I am afraid we never shall have another opportunity.

E. The Ratification Debate in New York

I. An Antifederalist Demands Deliberation (1787)

Last-ditch opposition to the Constitution formed in New York under the states' rights banner of George Clinton, the first governor and so-called Father of New York State. The strategic location of New York City, he saw clearly, promised commercial ascen-

¹New York *Journal and Weekly Register*, November 8, 1787.

dancy, and he did not welcome the restraints of a powerful federal government. His views were evidently shared by this anonymous contributor to a New York newspaper. What were the strongest arguments against a hasty and uncritical acceptance of the Constitution? Could some of this reasoning be applied to present-day political affairs? What was the basis of this writer's optimism?

I have read with a degree of attention several publications which have lately appeared in favor of the new Constitution; and as far as I am able to discern, the arguments (if they can be so termed) of most weight which are urged in its favor may be reduced to the two following:

1st. That the men who formed it were wise and experienced; that they were an illustrious band of patriots and had the happiness of their country at heart; that they were four months deliberating on the subject; and therefore it must be a perfect system.

2nd. That if the system be not received, this country will be without any government, and, of consequence, will be reduced to a state of anarchy and confusion, and involved in bloodshed and carnage; and in the end a government will be imposed upon us, not the result of reason and reflection, but of force and usurpation. . . .

With respect to the first, it will be readily perceived that it precludes all investigation of the merits of the proposed Constitution, and leads to an adoption of the plan without enquiring whether it be good or bad. For if we are to infer the perfection of this system from the characters and abilities of the men who formed it, we may as well determine to accept it without any enquiry as with. A number of persons in this as well as the other states have upon this principle determined to submit to it without even reading or knowing its contents. . . .

In answer to the second argument, I deny that we are in immediate danger of anarchy and commotions. Nothing but the passions of wicked and ambitious men will put us in the least danger on this head. Those who are anxious to precipitate a measure will always tell us that the present is the critical moment; now is the time, the crisis is arrived, and the present minute must be seized. Tyrants have always made use of this plea; and nothing in our circumstances can justify it.

The country is in profound peace, and we are not threatened by invasion from any quarter. The governments of the respective states are in the full exercise of their powers; and the lives, the liberty, and property of individuals are protected. All present exigencies are answered by them.

It is true, the regulation of trade and a competent provision for the payment of the interest of the public debt is wanting; but no immediate commotion will rise from these. Time may be taken for calm discussion and deliberate conclusions.

Individuals are just recovering from the losses and embarrassments sustained by the late war. Industry and frugality are taking their station and banishing from the community idleness and prodigality. Individuals are lessening their private debts, and several millions of the public debt is discharged by the sale of Western territory.

There is no reason, therefore, why we should precipitately and rashly adopt a system which is imperfect or insecure. We may securely deliberate and propose amendments and alterations. I know it is said we cannot change for the worse; but

if we act the part of wise men, we shall take care that we change for the better. It will be labor lost if, after all our pains, we are in no better circumstances than we were before.

If any tumults arise, they will be justly chargeable on those artful and ambitious men who are determined to cram this government down the throats of the people before they have time deliberately to examine it.

2. James Madison Defends the New Constitution (1787)

To promote ratification of the new Constitution in New York, Alexander Hamilton, James Madison, and John Jay teamed up to write a series of newspaper articles under the name "Publius." These articles, eighty-five in all, are known together as The Federalist and have become justly famous not only as high-class propaganda but as probably the most brilliant commentary ever written on the principles underlying the Constitution. Possibly the single most famous paper was No. 10, written by James Madison. Madison ingeniously refuted the prevailing wisdom of the day that democracy was possible only in a small state. In the following excerpt from Federalist No. 10, how does Madison justify the new central government envisioned in the Constitution? In particular, how does he handle the problem of "factions"?

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. Complaints are everywhere heard from our most considerate and virtuous citizens, equally the friends of public and private faith and of public and personal liberty, that our governments are too unstable, that the public good is disregarded in the conflicts of rival parties, and that measures are too often decided, not according to the rules of justice and the rights of the minor party, but by the superior force of an interested and overbearing majority. . . .

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

²H. C. Lodge, ed., *The Federalist* (New York: G. P. Putnam's Sons, 1895), pp. 61–66.

The second expedient is as impracticable as the first would be unwise. As long as the reason of man continues fallible, and he is at liberty to exercise it, different opinions will be formed. . . . The latent causes of faction are thus sown in the nature of man. . . .

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 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. . . .

From this view of the subject it may be concluded that a pure democracy, by which I mean a society consisting of a small number of citizens, who assemble and administer the government in person, can admit of no cure for the mischiefs of faction. A common passion or interest will, in almost every case, be felt by a majority of the whole; a communication and concert results from the form of government itself; and there is nothing to check the inducements to sacrifice the weaker party or an obnoxious individual. Hence it is that such democracies have ever been spectacles of turbulence and contention; have ever been found incompatible with personal security or the rights of property; and have in general been as short in their lives as they have been violent in their deaths. Theoretic politicians, who have patronized this species of government, have erroneously supposed that by reducing mankind to a perfect equality in their political rights, they would at the same time be perfectly equalized and assimilated in their possessions, their opinions, and their passions.

A republic, by which I mean a government in which the scheme of representation takes place, opens a different prospect 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 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 interest 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 the public good than if pronounced by the people themselves, convened for the purpose. . . .

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 within which they are placed, the more easily will they concert 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, 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 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 this 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. 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 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 or 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 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.

Publius