

## **The Antifederalist Papers No. 18-20**

### **What Does History Teach (Part 1)**

"AN OLD WHIG," taken from The Massachusetts Gazette, November 27, 1787, as reprinted from the [Philadelphia] Independent Gazetteer.

. . . . By the proposed constitution, every law, before it passes, is to undergo repeated revisions; and the constitution of every state in the union provide for the revision of the most trifling laws, either by their passing through different houses of assembly and senate, or by requiring them to be published for the consideration of the people. Why then is a constitution which affects all the inhabitants of the United States-which is to be the foundation of all laws and the source of misery or happiness to one- quarter of the globe-why is this to be so hastily adopted or rejected, that it cannot admit of a revision? If a law to regulate highways requires to be leisurely considered and undergo the examination of different bodies of men, one after another, before it be passed, why is it that the framing of a constitution for the government of a great people-a work which has been justly considered as the greatest effort of human genius, and which from the beginning of the world has so often baffled the skill of the wisest men in every age-shall be considered as a thing to be thrown out, in the first shape which it may happen to assume? Where is the impracticability of a revision? Cannot the same power which called the late convention call another? Are not the people still their own masters? If, when the several state conventions come to consider this constitution, they should not approve of it, in its present form, they may easily apply to congress and state their objections. Congress may as easily direct the calling another convention, as they did the calling the last. The plan may then be reconsidered, deliberately received and corrected, so as to meet the approbation of every friend to his country. A few months only will be necessary for this purpose; and if we consider the magnitude of the object, we shall deem it well worth a little time and attention. It is Much better to pause and reflect before hand, than to repent when it is too late; when no peaceable remedy will be left us, and unanimity will be forever banished. The struggles of the people against a bad government, when it is once fixed, afford but a gloomy picture in the annals of mankind, They are often unfortunate; they are always destructive of private and public happiness; but the peaceable consent of a people to establish a free and effective government is one of the most glorious objects that is ever exhibited on the theater of human affairs. Some, I know, have objected that another convention will not be likely to agree upon anything-I am far however from being of that opinion. The public voice calls so loudly for a new constitution that I have no doubt we shall have one of some sort. My only fear is that the impatience of the people will lead them to accept the first that is offered them without examining whether it is right or wrong. And after all, if a new convention cannot agree upon any amendments in the constitution, which is at present proposed, we can still adopt this in its present form; and all further opposition being vain, it is to be hoped we shall be unanimous in endeavouring to make the best of it. The experiment is at least worth trying, and I shall be much astonished, if a new convention called together for the purpose of revising the proposed constitution, do not greatly reform it ...

It is beyond a doubt that the new federal constitution, if adopted, will in a great measure destroy, if it does not totally annihilate, the separate governments of the several states. We shall, in effect, become one great republic. Every measure of any importance will be continental. What will be

the consequence of this? One thing is evident-that no republic of so great magnitude ever did or ever can exist. But a few years elapsed, from the time in which ancient Rome extended her dominions beyond the bounds of Italy, until the downfall of her republic. And all political writers agree, that a republican government can exist only in a narrow territory. But a confederacy of different republics has, in many instances, existed and flourished for a long time together. The celebrated Helvetian league, which exists at this moment in full vigor, and with unimpaired strength, while its origin may be traced to the confines of antiquity, is one among many examples on this head; and at the same time furnishes an eminent proof of how much less importance it is, that the constituent parts of a confederacy of republics may be rightly framed, than it is that the confederacy itself should be rightly organized. For hardly any two of the Swiss cantons have the same form of government, and they are almost equally divided in their religious principles, which have so often rent asunder the firmest establishments. A confederacy of republics must be the establishment in America, or we must cease altogether to retain the republican form of government. From the moment we become one great republic, either in form or substance, the period is very shortly removed when we shall sink first into monarchy, and then into despotism. . . . If the men who at different times have been entrusted to form plans of government for the world, had been really actuated by no other motives than the public good, the condition of human nature in all ages would have been widely different from that which has been exhibited to us in history. In this country perhaps we are possessed of more than our share of political virtue. If we will exercise a little patience and bestow our best endeavors on the business, I do not think it impossible, that we may yet form a federal constitution much superior to any form of government which has ever existed in the world. But whenever this important work shall be accomplished, I venture to pronounce that it will not be done without a careful attention to the Framing of a bill of rights. . . .

In different nations, we find different grants or reservations of privileges appealed to in the struggles between the rulers and the people; many of which, in the different nations of Europe, have long since been swallowed up and lost by time, or destroyed by the arbitrary hand of power. In England, we find the people, with the barons at their head, exacting a solemn resignation of their rights from King John, in their celebrated magna charta, which was many times renewed in Parliament during the reigns of his successors. The petition of rights was afterwards consented to by Charles I and contained a declaration of the liberties of the people. The habeas corpus act, after the restoration of Charles II, the bill of rights, which was obtained of the Prince and Princess of Orange, on their accession to the throne, and the act of settlement, at the accession of the Hanover family-are other instances to show the care and watchfulness of that nation to improve every Opportunity, of the reign of a weak prince or the revolution in their government, to obtain the most explicit declarations in favor of their liberties. In like manner the people of this country, at the revolution, having all power in their own hands, in forming the constitutions of the several states, took care to secure themselves, by bills of rights, so as to prevent as far as possible the encroachments of their future rulers upon the rights of the people. Some of these rights are said to be unalienable, such as the rights of conscience. Yet even these have been often invaded, where they have not been carefully secured, by express and solemn bills and declarations in their favor.

Before we establish a government, whose acts will be the supreme law of the land, and whose power will extend to almost every case without exception, we ought carefully to guard ourselves

by a bill of rights, against the invasion of those liberties which it is essential for us to retain, which it is of no real use for government to deprive us of; but which, in the course of human events, have been too often insulted with all the wantonness of an idle barbarity.

AN OLD WHIG