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Why the Articles Failed

This essay is composed of excerpts from "CENTINEL" letters appearing in the (Philadelphia) Independent Gazetteer, October 5 and November 30, 1787.

That the present confederation is inadequate to the objects of the union, seems to be universally allowed. The only question is, what additional powers are wanting to give due energy to the federal government? We should, however, be careful, in forming our opinion on this subject, not to impute the temporary and extraordinary difficulties that have hitherto impeded the execution of the confederation, to defects in the system itself. For years past, the harpies of power have been industriously inculcating the idea that all our difficulties proceed from the impotency of Congress, and have at length succeeded to give to this sentiment almost universal currency and belief. The devastations, losses and burdens occasioned by the late war; the excessive importations of foreign merchandise and luxuries, which have drained the country of its specie and involved it in debt, are all overlooked, and the inadequacy of the powers of the present confederation is erroneously supposed to be the only cause of our difficulties. Hence persons of every description are revelling in the anticipation of the halcyon days consequent on the establishment of the new constitution. What gross deception and fatal delusion! Although very considerable benefit might be derived from strengthening the hands of Congress, so as to enable them to regulate commerce, and counteract the adverse restrictions of other nations, which would meet with the concurrence of all persons; yet this benefit is accompanied in the new constitution with the scourge of despotic power. . . .

Taxation is in every government a very delicate and difficult subject. Hence it has been the policy of all wise statesmen, as far as circumstances permitted, to lead the people by small beginnings and almost imperceptible degrees, into the habits of taxation. Where the contrary conduct has been pursued, it has ever failed of full success, not unfrequently proving the ruin of the projectors. The imposing of a burdensome tax at once on a people, without the usual gradations, is the severest test that any government can be put to; despotism itself has often proved unequal to the attempt. Under this conviction, let us take a review of our situation before and since the revolution. From the first settlement of this country until the commencement of the late war, the taxes were so light and trivial as to be scarcely felt by the people. When we engaged in the expensive contest with Great Britain, the Congress, sensible of the difficulty of levying the monies necessary to its support, by direct taxation, had recourse to an anticipation of the public resources, by emitting bills of credit, and thus postponed the necessity of taxation for several years. This means was pursued to a most ruinous length. But about the year 80 or 81, it was wholly exhausted, the bills of credit had suffered such a depreciation from the excessive quantities in circulation, that they ceased to be useful as a medium. The country at this period was very much impoverished and exhausted; commerce had been suspended for near six years; the husbandman, for want of a market, limited his crops to his own subsistence; the frequent calls of the militia and long continuance in actual service, the devastations of the enemy, the subsistence of our own armies, the evils of the depreciation of the paper money, which fell chiefly upon the patriotic and virtuous part of the community, had all concurred to produce great distress throughout America. In this situation of affairs, we still had the same powerful enemy to

contend with, who had even more numerous and better appointed armies in the field than at any former time. Our allies were applied to in this exigency, but the pecuniary assistance that we could procure from them was soon exhausted. The only resource now remaining was to obtain by direct taxation, the moneys necessary for our defense. The history of mankind does not furnish a similar instance of an attempt to levy such enormous taxes at once, nor of a people so wholly unprepared and uninured to them-the lamp of sacred liberty must indeed have burned with unsullied lustre, every sordid principle of the mind must have been then extinct, when the people not only submitted to the grievous impositions, but cheerfully exerted themselves to comply with the calls of their country. Their abilities, however, were not equal to furnish the necessary sums-indeed, the requisition of the year 1782, amounted to the whole income of their farms and other property, including the means of their subsistence. Perhaps the strained exertions of two years would not have sufficed to the discharge of this requisition. How then can we impute the difficulties of the people to a due compliance with the requisitions of Congress, to a defect in the confederation? Any government, however energetic, in similar circumstances, would have experienced the same fate. If we review the proceedings of the States, we shall find that they gave every sanction and authority to the requisitions of Congress that their laws could confer, that they attempted to collect the sums called for in the same manner as is proposed to be done in future by the general government, instead of the State legislatures....

The wheels of the general government having been thus clogged, and the arrearages of taxes still accumulating, it may be asked what prospect is there of the government resuming its proper tone, -unless more compulsory powers are granted? To this it may be answered, that the produce of imposts on commerce, which all agree to vest in Congress, together with the immense tracts of land at their disposal, will rapidly lessen and eventually discharge the present encumbrances. When this takes place, the mode by requisition will be found perfectly adequate to the extraordinary exigencies of the union. Congress have lately sold land to the amount of eight millions of dollars, which is a considerable portion of the whole debt.

It is to be lamented that the interested and designing have availed themselves so successfully of the present crisis, and under the specious pretence of having discovered a panacea for all the ills of the people, they are about establishing a system of government, that will prove more destructive to them than the wooden horse filled with soldiers did in ancient times to the city of Troy. This horse was introduced by their hostile enemy the Grecians, by a prostitution of the sacred rites of their religion; in like manner, my fellow citizens, are aspiring despots among yourselves prostituting the name of a Washington to cloak their designs upon your liberties.

I would ask how was the proposed Constitution to have showered down those treasures upon every class of citizens, as has been so industriously inculcated and so fondly believed by some? Would it have been by the addition of numerous and expensive establishments? By doubling our judiciaries, instituting federal courts in every county of every state? By a superb presidential court? By a large standing army? In short, by putting it in the power of the future government to levy money at pleasure, and placing this government so independent of the people as to enable the administration to gratify every corrupt passion of the mind, to riot on your spoils, without check or control?

A transfer to Congress of the power of imposing imposts on commerce, the unlimited regulation of trade, and to make treaties, I believe is all that is wanting to render America as prosperous as it is in the power of any form of government to render her; this properly understood would meet the views of all the honest and well meaning.

What gave birth to the late continental Convention? Was it not the situation of our commerce, which lay at the mercy of every foreign power, who, from motives of interest or enmity, could restrict and control it without risking a retaliation on the part of America, as Congress was impotent on this subject? Such indeed was the case with respect to Britain, whose hostile regulations gave such a stab to our navigation as to threaten its annihilation, it became the interest of even the American merchant to give a preference to foreign bottoms; hence the distress of our seamen, shipwrights, and every mechanic art dependent on navigation.

By these regulations too, we were limited in markets for our produce; our vessels were excluded from their West India islands; many of our staple commodities were denied entrance in Britain. Hence the husbandman were distressed by the demand for their crops being lessened and their prices reduced. This is the source to which may be traced every evil we experience, that can be relieved by a more energetic government. Recollect the language of complaint for years past; compare the recommendations of Congress, founded on such complaints, pointing out the remedy; examine the reasons assigned by the different states for appointing delegates to the late Convention; view the powers vested in that body-they all harmonize in the sentiment, that the due regulation of trade and navigation was the anxious wish of every class of citizens, was the great object of calling the Convention.

This object being provided for by the Constitution proposed by the general Convention, people overlooked and were not sensible of the needless sacrifice they were making for it. Allowing for a moment that it would be possible for trade to flourish under a despotic government, of what avail would be a prosperous state of commerce, when the produce of it would be at the absolute disposal of an arbitrary unchecked general government, who may levy at pleasure the most oppressive taxes; who may destroy every principle of freedom; who may even destroy the privilege of complaining....

After so recent a triumph over British despots, after such torrents of blood and treasure have been spent, after involving ourselves in the distresses of an arduous war, and incurring such a debt, for the express purpose of asserting the rights of humanity, it is truly astonishing that a set of men among ourselves should have had the effrontery to attempt the destruction of our liberties. But in this enlightened age, to dupe the people by the arts they are practising, is still more extraordinary. . .

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