

# SELECTIONS FROM ANTIFEDERALIST ESSAYS

FROM BRUTUS I (OCTOBER 18, 1787)

Source: Teaching American History, <http://teachingamericanhistory.org/library/index.asp?document=849>

The judicial power of the United States is to be vested in a supreme court, and in such inferior courts as Congress may from time to time ordain and establish. The powers of these courts are very extensive; their jurisdiction comprehends all civil causes, except such as arise between citizens of the same state; and it extends to all cases in law and equity arising under the constitution. One inferior court must be established, I presume, in each state, at least, with the necessary executive officers appendant thereto. It is easy to see, that in the common course of things, these courts will eclipse the dignity, and take away from the respectability, of the state courts. These courts will be, in themselves, totally independent of the states, deriving their authority from the United States, and receiving from them fixed salaries; and in the course of human events it is to be expected, that they will swallow up all the powers of the courts in the respective states.

FROM MONTEZUMA, IN THE *PHILADELPHIA INDEPENDENT GAZETTEER* (OCTOBER 17, 1787)

Source: <http://www.utulsa.edu/law/classes/rice/Constitutional/AntiFederalist/09.htm>

We the Aristocratic party of the United States, lamenting the many inconveniences to which the late confederation subjected the well-born, the better kind of people, bringing them down to the level of the rabble - - and holding in utter detestation that frontispiece to every bill of rights, "that all men are born equal" -- beg leave (for the purpose of drawing a line between such as we think were ordained to govern, and such as were made to bear the weight of government without having any share in its administration) to submit to our Friends in the first class for their inspection, the following defense of our monarchical, aristocratical democracy.

1st. As a majority of all societies consist of men who (though totally incapable of thinking or acting in governmental matters) are more readily led than driven, we have thought meet to indulge them in something like a democracy in the new constitution, which part we have designated by the popular name of the House of Representatives. But to guard against every possible danger from this lower house, we have subjected every bill they bring forward, to the double negative of our upper house and president. Nor have we allowed the populace the right to elect their representatives annually . . . lest this body should be too much under the influence and control of their constituents, and thereby prove the "weatherboard of our grand edifice, to show the shiftings of every fashionable gale," -- for we have not yet to learn that little else is wanting to aristocratize the most democratical representative than to make him somewhat independent of his political creators. We have taken away that rotation of appointment which has so long perplexed us -- that grand engine of popular influence. Every man is eligible into our government from time to time for life. This will have a two -- fold good effect. First, it prevents the representatives from mixing with the lower class, and imbibing their foolish sentiments, with which they would have come charged on re-election.

2d. They will from the perpetuality of office be under our eye, and in a short time will think and act like us, independently of popular whims and prejudices. . . .

We have frequently endeavored to effect in our respective states, the happy discrimination which pervades this system; but finding we could not bring the states into it individually, we have determined . . . and have taken pains to leave the legislature of each free and independent state, as they now call themselves, in such a situation that they will eventually be absorbed by our grand continental vortex, or dwindle into petty corporations, and have power over little else than yoking hogs or determining the width of cart wheels. . . .

Signed by unanimous order of the lords spiritual and temporal.

*MONTEZUMA*

FROM PATRICK HENRY, SPEECH IN THE VIRGINIA RATIFYING CONVENTION (JUNE 16, 1788)

Source: <http://www.thisnation.com/library/antifederalist/34.html>

The first thing I have at heart is American liberty; the second thing is American union; and I hope the people of Virginia will endeavor to preserve that union... I would give the best security for a punctual compliance with requisitions; but I beseech gentlemen, at all hazards, not to give up this unlimited power of taxation. . . .

In this scheme of energetic government, the people will find two sets of tax gatherers-the state and the federal sheriffs. This, it seems to me, will produce such dreadful oppression as the people cannot possibly bear. The federal sheriff may commit what oppression, make what distresses, he pleases, and ruin you with impunity; for how are you to tie his hands? Have you any sufficiently decided means of preventing him from sucking your blood by speculations, commissions, and fees? Thus thousands of your people will be most shamefully robbed: our state sheriffs, those unfeeling blood-suckers, have, under the watchful eye of our legislature, committed the most horrid and barbarous ravages on our people. It has required the most constant vigilance of the legislature to keep them from totally ruining the people... if sheriffs, thus immediately under the eye of our state legislature and judiciary, have dared to commit these outrages, what would they not have done if their masters had been at Philadelphia or New York?

FROM "A FARMER," IN THE *PHILADELPHIA INDEPENDENT GAZETTEER* (APRIL 15 AND 22, 1788)

Source: <http://www.thisnation.com/library/antifederalist/39.html>

The State legislatures do not choose senators by legislative or sovereign authority, but by a power of ministerial agency as mere electors or boards of appointment. They have no power to direct the senators how or what duties they shall perform; they have neither power to censure the senators, nor to supersede them for misconduct. It is not the power of choosing to office merely that designates sovereignty, or else corporations who appoint their own officers and make their own by-laws, or the heads of department who choose the officers under them, such as commanders of armies, etc., may be called sovereigns, because they can name men to office whom they cannot dismiss therefrom. The exercise of sovereignty does not consist in choosing masters, such as the senators would be, who, when chosen, would be beyond control, but in the power of dismissing, impeaching, or the like, those to whom authority is delegated... The senators are not even dependent on the States for their wages, but in conjunction with the federal representatives establish their own wages. The senators do not vote by States, but as individuals. The representatives also vote as individuals, representing people in a consolidated or national government...

# OBJECTIONS OF THE ANTIFEDERALISTS

*In the space provided, briefly summarize each author's reasons for objecting to the ratification of the Constitution.*

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## **BRUTUS**

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## **MONTEZUMA**

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## **PATRICK HENRY**

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## **A FARMER**

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Which Antifederalist writer did you find most convincing? Explain why the argument makes sense to you using an action that the government has taken since the ratification of the Constitution as evidence.

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