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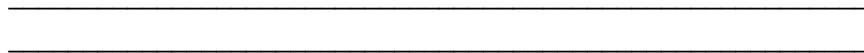
# -- THE BIG IDEA --

The heart of democracy is the community meeting. Of course there are already neighborhood meetings, but these do not determine government policy; they are not effective instruments of popular power. In a democratic USA, by contrast, the people will exercise sovereign rule collectively through regular and frequent community meetings across the country. Unlike the political system now in place, there will be no bodies of politicians--a Congress, state legislatures, city councils--drafting our laws. There will be no lobbyists, no groups such as ALEC, usurping the process. Neither will there be a president, governors, or mayors directing the government. **Instead, through Community Assemblies and Executive Councils staffed by ordinary citizens selected by lot, everyone will truly have an equal voice in policy-making and an equal opportunity of serving in government.**

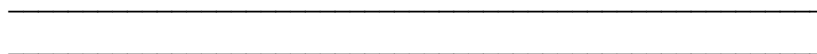
In essence it is *really* this simple. We will not get anywhere flailing away within the confines of the current political structures. We will continue to be like rats running around in a maze, succeeding perhaps in making life a little less unbearable for some people in spots, but ultimately getting nowhere fast. In the meantime the earth will be consumed and we will find ourselves in a condition of serfdom or worse. **We have no option: we have to make the necessary change from the current system to democracy.**

The system of government described below is based on that of ancient Athens but adapted to our twenty-first century geographic and demographic realities. (The issue of Athenian slavery is discussed at the beginning of the first chapter of *The Racket and the Answer*.) It embodies the two central features of democracy in any age: the legislative sovereignty of the citizen body and the exercise of executive and judicial functions by large, random-sample committees of the citizenry.

Following the constitution is a reasoned explanation as to why you do not find in our document a laundry list of "enumerated" or any other style of so-called "rights." It is our position that the attention and emphasis in the coming constitutional struggle should be on the *form* of government and the *power* it institutionalizes, not on "rights."



# A Constitution for a Democratic United States of America



1. The legislature is the entire set of adult citizens of the nation. The citizens gather in Primary Assemblies at the community level twice per month at scheduled meetings and at other times if necessary. They address,

discuss, and vote on issues--laws and policies--pertaining to the several levels of government: community, area (metropolitan area or rural county), state, and national. These topics are prepared and placed on the agenda by the various Councils (see below). Measures pass by majority vote.

2. The executive institution is replicated at each level of government, with a strict hierarchical relationship obtaining between levels, the higher level being absolutely superior to the lower. The executive is the Council of Five Hundred. The members are chosen annually and randomly from among all citizens in the polity at the given level, the term of office being one year. The meetings and proceedings of this body, which is in constant session, are organized and facilitated by a Committee of Fifty consisting of citizens randomly selected from among the five hundred Council members each month. A moderator is selected daily from among the Committee members by mutual agreement among themselves. Decisions in the Council of Five Hundred and in the Committee of Fifty are by majority vote.

The Council has up to five functions, depending on its level:

(1) The Council at each level (e.g. state) discusses the societal issues of the day and sets the agenda for its level, which is then incorporated, along with the agendas for every other level, into the general agenda of the Primary Assembly meetings. The Council continually receives and considers suggestions from the citizenry as to what should be placed on the agenda, and it may recommend courses of action on the agenda items. The various Councils may call additional meetings of the Assemblies at times other than the scheduled dates if this is deemed necessary.

(2) Each community Council, through its Committee of Fifty and moderator, presides over Assembly meetings.

(3) The Council at each level executes the decisions and policies decided on by the Assemblies for that level, with the assistance of a bureaucracy completely under its control, direction, and supervision consisting of various officers (including police and military), technicians, boards, committees, commissions, and agencies.

(4) The national Council, through its Committee of Fifty, communicates with governments of other nations and meets with their delegations.

(5) The area Councils, the state Councils, and the national Council all run court systems consisting of 201-member to 501-member bodies of randomly selected citizens hearing and deciding criminal and civil cases, with the assistance of legal professionals as necessary.

**On the people's "rights"...**

It will be noted that our constitution contains no list of "rights" such as are included in the constitutions of most countries today. These lists, and the perceived need to inscribe them in constitutional documents, derive from natural law theory and its concepts of justice. We will not delve into these capacious topics here. (Discussions on natural law and the relevant political philosophies can be found in the online *The Racket and the Answer*, Racket1original\_350pgs, pp. 54-61, 195-202, 235-236, 241-243, 245-250.) Instead we flatly state that what the people need is not any list of so-called rights, but rather *institutional power*. Once the people possess the latter they will be able to order society in any way they wish and make whatever laws they deem necessary. And these will no doubt include laws corresponding to current constitutional provisions such as some of the amendments to the U.S. Constitution.

Some of the most important rights in Western constitutional law, namely the rights of assembly and free speech, are features *built into* true democracy. Thus, in the context of the democratic process they are not so much "rights" that need to be declared as inherent mechanisms, indeed the sine qua non of the system. Others, such as the right to privacy, are laws that any set of sane citizens would want to live under. Lastly, most of those rights concerning the general well-being of the people and advocated by progressives as human rights, such as the right to free health care, are best viewed not as God-given fundamental laws (for all laws are nothing more than the stated will of the sovereign in particular societies), but rather as policies which the people will enact when they gain sovereign control and not before.

Thus democracy--the rule of the people--is the essential vehicle for the winning of beneficial rights. Where, on the other hand, the government is an oligarchy, as it is in almost all countries today, the mere existence in some display case of a piece of paper with these rights enumerated on it neither defines the regime as a democracy nor guarantees the actual implementation of those rights, as has been demonstrated again and again throughout modern history. In either case the solemn inscribing of a special set of rights in constitutions is superfluous at best, and a distraction from the more consequential societal power relations at worst. In the case of fledgling constitutions it is also presumptuous and inappropriate, since the authors of constitutions are not the people. After having laid out the general rules by which the system will operate they have no authority to enact specific laws. Furthermore, the people are protean in their policy preferences. No generation should be constrained in any way by laws passed by previous generations once it is decided to change them. The treatment of constitutional provisions as extra-special, semi-permanent laws to be insulated from the popular will is such a constraint.

In sum, the operative part of *any* constitution is the structure of government that it erects. When that structure is an oligarchy, the rights that the constitution enumerates are little more than a fig leaf covering up the brutal reality of elite rule. When the structure is a democracy, the wholesome laws that the people want, "rights" included, will naturally follow from the political system itself, since the people are then in complete control. The attention and emphasis in the coming constitutional struggle should therefore be on forms of government and the *power* that they institutionalize, not on rights.

## A Refinement in Numbers

A stock criticism of using the Athenian democracy as a model for a possible modern democracy is the problem of scale. It is reflexively claimed that "direct democracy," i.e. democracy, might have worked in a small city-state like Athens but would be impossible in a large modern state with its gargantuan population. Hence the supposed need for "representative democracy," i.e. elective oligarchy. Worse still, even Athens, with its citizen population of at least 30,000, could not fit all

of its citizens in its Assembly on the Pnyx at any one time, the latter having a seating capacity of 6,000. Furthermore, this size of assembly is widely perceived to be unwieldy--too large for effective deliberation among the attendees.

As is illustrated on our "Idea" page, we have resolved the difficulty of an assembly holding all the citizens of a large state by simply having many thousands of assemblies throughout the country instead of just one. Taking Chicago as an example of a large city in the U.S.: Chicago has an adult population of roughly two million persons. It has nearly one hundred quasi-official "neighborhoods," i.e. communities. Thus each community in Chicago has a population of about 20,000 (adult) citizens. Each of these communities, then, closely parallels Athens. As in Athens, not all the citizens would be expected to gather at each Primary/Community Assembly; thus each assembly would consist of several thousand persons (not the full 20,000). Each community would have its own executive Council of 500; there would not be just one for the entire country as in Athens. Scale problem solved--if our system is to be very similar to that of Athens, a not unreasonable aspiration given that the Athenian system obviously worked.

However, people today would undoubtedly be more comfortable with smaller Assemblies. A refinement to the Athens-based arrangement that we have previously laid out would be as follows.

Again using Chicago as an example: Each of the city's 100 communities would be split up into 10 sections, giving a section population of 2,000. Given, again, that all adults are unlikely to attend each Assembly (which would now be simply a "Primary," not a "Community," Assembly), Assemblies would now consist of a number of citizens in the several hundred to 1,000 range--much more manageable than the larger attendance expected at Assemblies from the full 20,000-citizen communities. The community Council would remain 500-strong. But it would be divided on Assembly meeting days into ten parts, each Council committee of 50 presiding over one of the sectional Assemblies.

If the above numbers are still felt to be too large, an even further reduction in size, with a corresponding increase in intimacy, could be achieved by making each community section not 1/10th but 1/100th of the community. This would yield sections of 200 citizens and Primary Assemblies of no more than 200 citizens--quite comfortable numbers even if all the citizens were to attend each Assembly. In this case the community Councils of 500 would be split up into 100 committees of 5 each, to preside over the 100 Assemblies in each community.

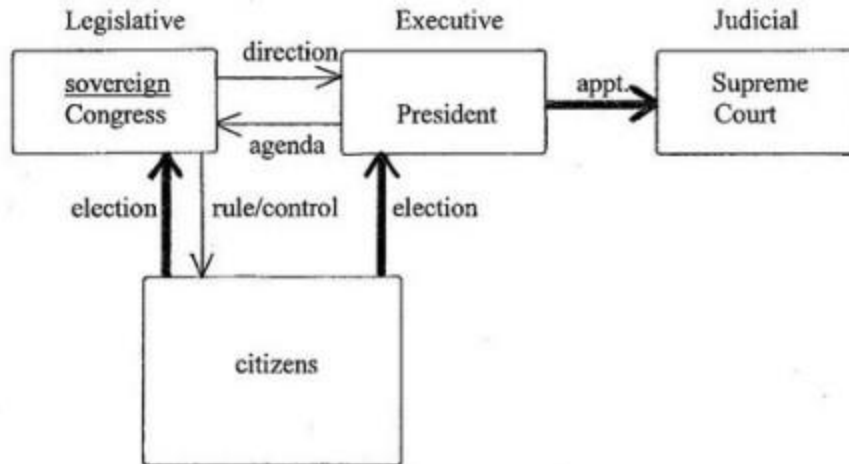
Thus the principle of sovereign citizen assemblies and random-sample executive committees remains the same, but with numbers more congenial to modern notions of comfortable and effective meetings. In other words, numbers are no bar to the implementation of democracy in a large and populous country. They can be adjusted to any level of comfort.

**One way of looking at the various**

**schemes ...**

**What we have ...**

## AMERICAN REPRESENTATIVE OLIGARCHY



### American representative oligarchy

Government = Congress, President, Supreme Court.

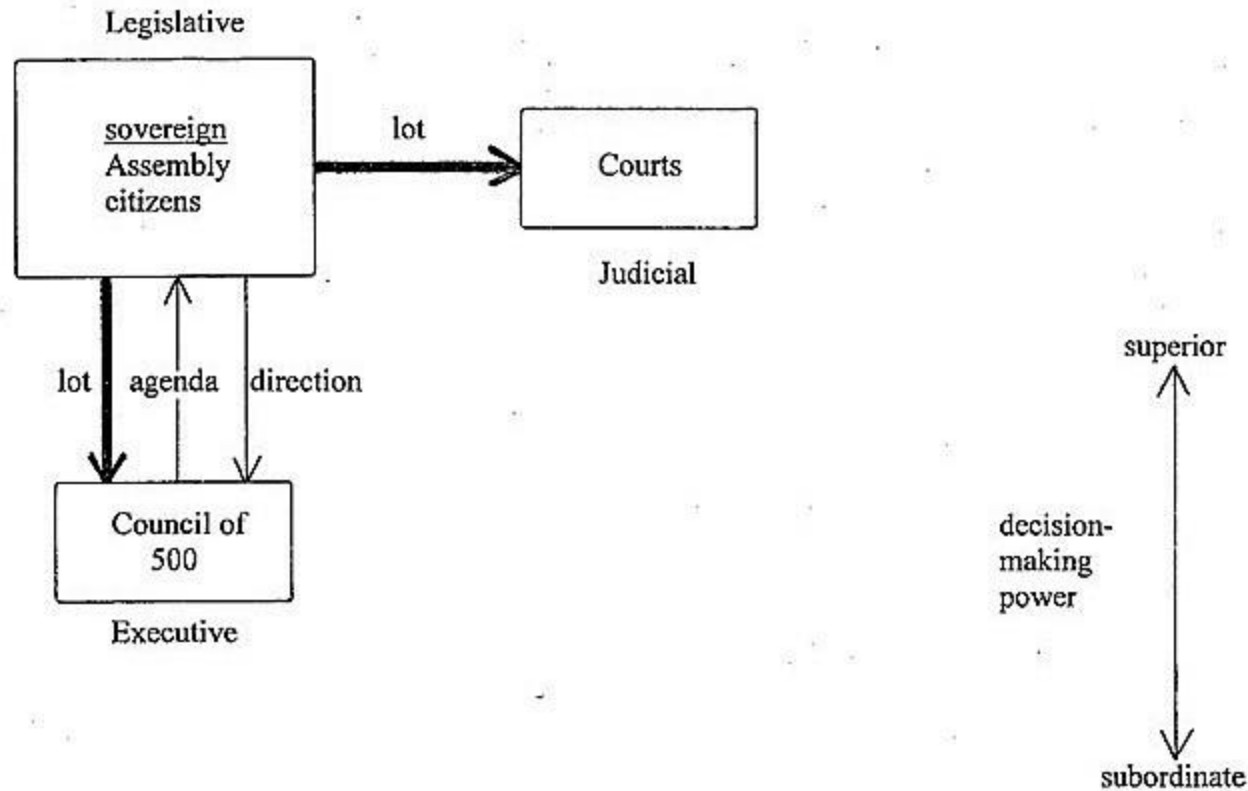
(To the degree that any single institution can be identified as the sovereign in this system, it is Congress, which makes the laws. This is the clear intent of the Constitution. The de facto powers of the president and the Supreme Court have been vastly expanded since the founding.)

The government is separate from the people, and the citizens are subordinate to the government (beneath it in the diagram).

Citizens elect prominent individuals from the citizen body to Congress (in 2014, more than half of these individuals are millionaires) and the presidency. These governmental bodies--not the citizens--are then the rulers of society.

## What ancient Athens had ...

# ATHENIAN DEMOCRACY



## Athenian democracy

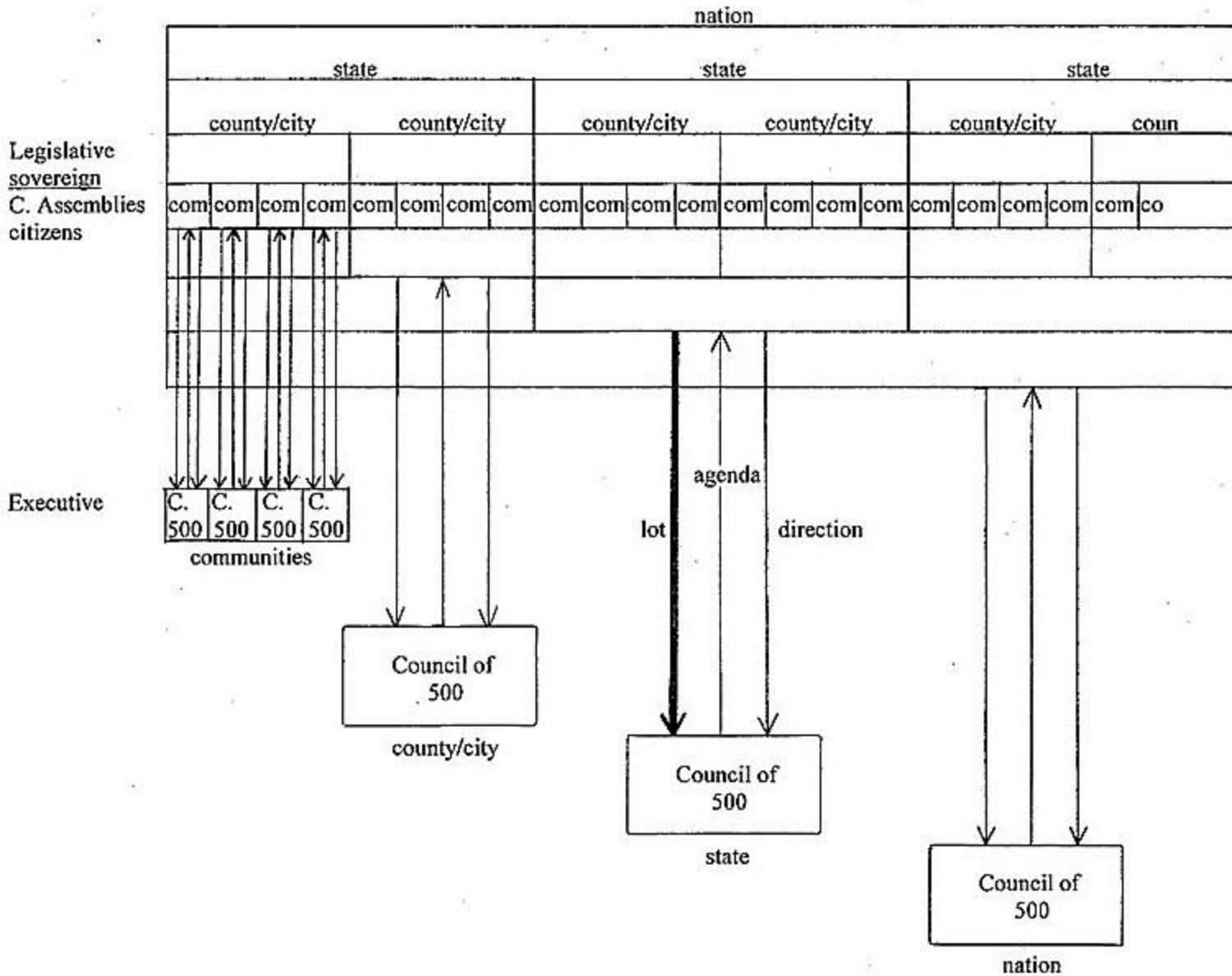
Government = all the citizens (ordinary people).

The legislature is the citizen body itself, gathered in the Assembly. The executive council and the courts are staffed by ordinary citizens chosen randomly (by lot), so that these bodies are statistically representative samples of the population (microcosms), not groups of elites.

The Assembly of citizens is the supreme decision-making and law-making body. It has no superior; it is the sovereign. No external institution rules the people or governs society in their name. The people are the rulers.

## What we need NOW ...

# AMERICAN DEMOCRACY



(com = Community Assembly; C. 500 = Council of 500)

## American democracy

Almost identical in basic structure to the Athenian democracy (minus the latter's separate courts, which are here operated by the executive)--but much expanded. There are many community assemblies, each with an executive council. There are councils for each city/county and each state, and a council for the nation. As in the Athenian democracy the people in their assemblies are the sovereign rulers.

(In the abbreviated, hypothetical illustration there are four community assemblies per city/county, two cities/counties per state, and three states. In reality there would be a large and variable number of community assemblies per city/county and there are of course numerous counties and cities in the 50 states.)

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Miscellaneous notes:

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The bodies of government and of citizens are in boxes.

The bold lines between the boxes represent the process of selection of persons from one body to another. Lot = random selection; election = a few individuals are voted into office by the citizens; appointment = one body selects whomever it wishes for the second body.

The thin lines between the boxes represent the various interactions between the bodies. Agenda = one body provides the agenda of business for another (the U.S. president presents Congress with a budget); direction = one body tells or suggests to another body what to do (the Athenian Assembly instructs the Council to carry out decrees); rule/control = through laws, a governmental body runs society (Congress controls the American polity).

To avoid excessive clutter in the American democracy diagram the relationship lines are drawn for only four communities, one county/city, and one state; and they are labelled only in the case of the state.

**Or, to view it another way . . .**

**representative system**

**vs**

**democracy**

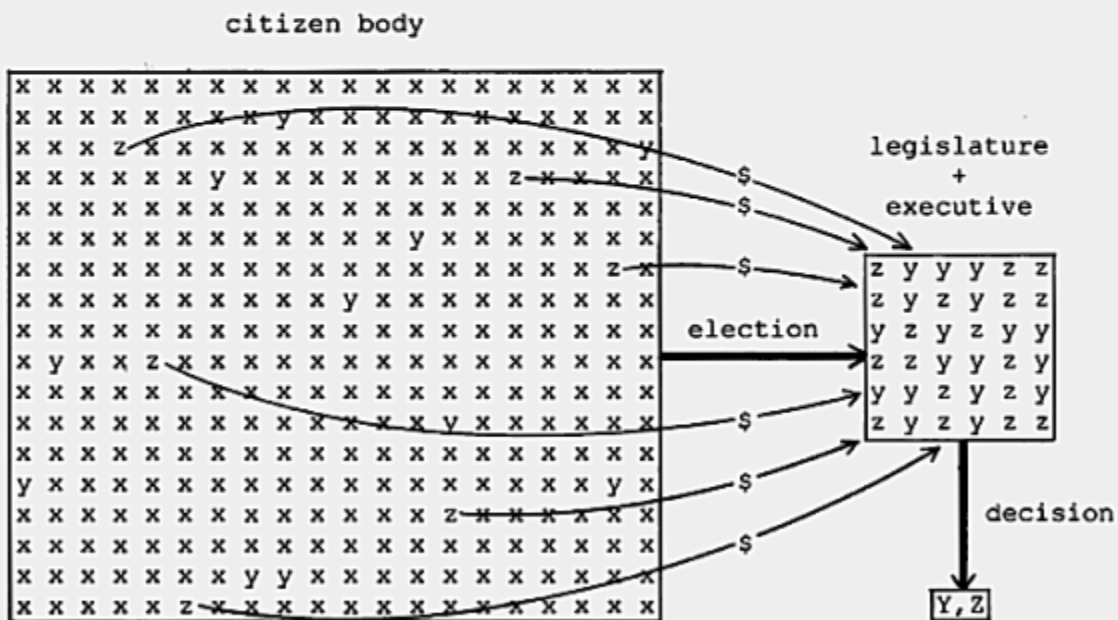
These diagrams illustrate the social makeup of the population in society and the very different social makeups of the governments in the two political systems of representation and democracy. They graphically demonstrate the impossibility of consistently obtaining genuine populist policy from a representative government and the automatic attainment of such policy in a democracy. Just follow the x's, y's, and z's! The key to a realistic appraisal of political systems is to recognize



that people overwhelmingly tend to do what is best for themselves and their own kind--a truism to which academic political scientists and many others seem mostly oblivious. Thus, to obtain policy benefiting the vast majority of the people, the people themselves have to be in power: a simple concept, but apparently a difficult one to grasp.

x = ordinary person  
y = politician-type person  
z = rich person  
X = policy benefitting ordinary people  
Y = policy benefitting politicians  
Z = policy benefitting rich people

REPRESENTATIVE SYSTEM



Representative system:

The vast majority of the citizens are ordinary people rather than politician types or rich people.

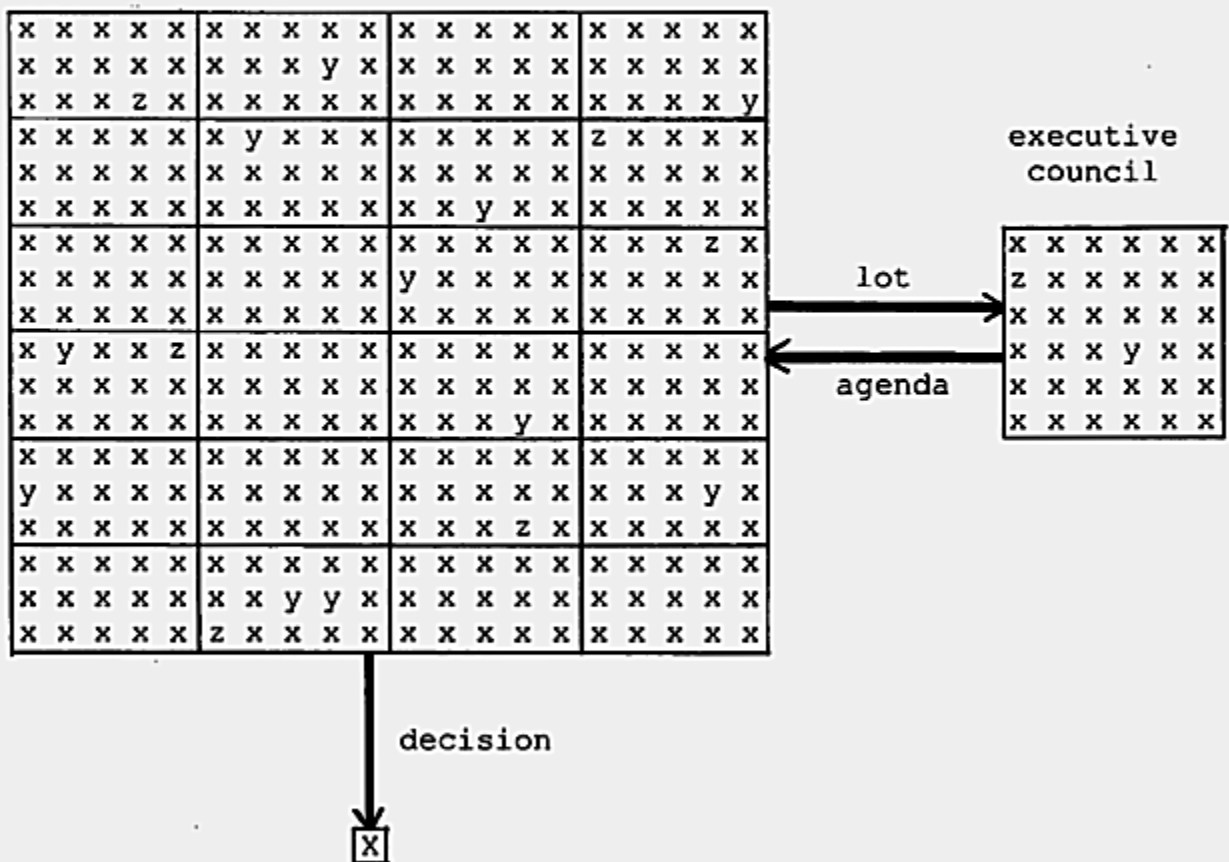
The government, chosen through elections from the citizen body, is comprised entirely of politician types and rich persons.

The decisions of the legislature and executive *naturally and inevitably* result mainly in policies favoring politicians and rich people.

[Notes: (a) For the sake of simplicity, in the representative system diagram the legislative and executive, both being elected and partaking in decision-making, are conjoined, while the judiciary, a constitutionally subordinate body, is ignored. (b) There are multiple legislatures and executives (at the various levels of government) in a representative system, and there are multiple executive councils in a large democracy, but, since the diagrams correspond to national governments, only one of each is shown here; the structure of government at the lower levels, however, is identical, so the political dynamics are the same. (c) Strictly speaking, of course, rich persons and politicians (z and y in the diagrams) are not exclusive categories. A rich person can also be a politician-type and vice versa; by definition, however, neither is an ordinary person. (d) The curved arrows with the dollar signs in the representative system diagram represent financial influence.]

DEMOCRACY

citizen body in legislative assemblies



Democracy:

The vast majority of the citizens are ordinary people rather than politician types or rich people.

The government, in legislative assemblies coterminous with the citizen body and executive councils chosen by lot, is comprised mostly of ordinary people.

The decisions of the legislature *naturally and inevitably* result mainly in policies favoring ordinary people.

Politicians are different from ordinary people. They are of a higher socio-economic status than average. They are relatively prominent persons (e.g. lawyers, businesspersons, celebrities) and they tend to be ambitious, power-seeking, and venal. There are practically never any janitors, waitresses, electricians, nurses, truck drivers, or any other such working-class people in legislatures filled by elections. Among large bodies of elected officials there is sometimes a small number of progressives (still upper-class) who often favor policies benefiting the lower classes. These progressives, however, are always a tiny minority, since the strong human tendency is to do what is favorable to oneself and to one's own kind.

In a representative system the decision-makers (legislators) are a body separate from the people, and their number is extremely small relative to the size of the population, while in a democracy the decision-makers are all the citizens meeting in assemblies. (The separate councils of ordinary citizens in a democracy are merely agenda-setting bodies.) It is for this reason that in representative systems the rich and powerful find it both possible and expedient to bribe and otherwise control the legislators to get what they want, whereas in a democracy this is impracticable due to the sheer number of legislators involved.

## Anti-federalist argument . . .

### THE ANTIFEDERALISTS VS. THE U.S. CONSTITUTION

**Americans as a whole are probably not well aware--and no doubt many are completely unaware--that there was intense opposition to the U.S. Constitution when it was first proposed in the late 1780s.** While the Founders called themselves Federalists, the opponents of the Constitution have come to be known as Antifederalists. The following excerpts from *The Federalist Papers* (Isaac Kramnick, ed., 1987) and the voluminous *The Debate on the Constitution* (Bernard Bailyn, ed., 1993) demonstrate the stark difference between the more principled Federalists and Antifederalists. The upshot is that the latter were pro-democratic while the former were rabidly anti-democratic. Since the Federalists of course won the foundational ideological struggle, it should be little surprise that the product of their labors, the U.S. Constitution, was from the beginning, and is today, an undemocratic governmental edifice. *This was the plan. Our current political system is indeed what the Antifederalists claimed was being created in 1787-89: an "oligarchy," an "aristocracy," a "tyranny," "despotism," and "slavery"--a government of, by, and for society's elite, not "the people."*

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## INTRODUCTION

### The Federalist case

In Federalist #10, James Madison clearly lays out his preference for a representative government (of the type being established by the Constitution) over a democracy. His explicit concern is to protect the minority and their property from the majority and their "wicked" schemes of redistribution. He uses neutral, universalistic language to characterize the interests of the rich--"public good," "rules of justice," "permanent interests of the community"--but this is obviously just his class bias. He recognizes the class divisions in society perfectly, indeed he is at pains to emphasize their existence, and his aim is to erect a government that will naturally protect the interests of the propertied class: "The protection of these faculties [of the rich to make themselves rich] is the first object of government." He knows that in a democratic dispensation, where the majority ipso facto rules, the outsized property of the rich is unsafe. Hence the majority "must be rendered . . . unable to concert and carry into effect schemes of oppression."

The solution is a republic as distinct from a democracy. Unlike the latter, which functions on the basis of all the citizens meeting together to decide issues, and which naturally results in populist actions and policies, the former operates through elections, whereby a small, select set of persons is elevated to office above the masses. These persons will necessarily be upper-class individuals, and they will naturally protect the property of their cohorts from the egalitarian designs of the rabble.

The second advantage of a large republic is that its large extent, in contrast to the ideal small polity of a democracy, makes it difficult for the people to unite to form majorities which will then implement majoritarian policies.

The equally elitist Noah Webster agrees with Madison that, in contrast to democracy, representation is "the perfection of human government."

In his letter to Thomas Jefferson, Madison reiterates many of the points he made in Federalist #10. The relatively populist states have been ill-equipped to protect "private rights." This defect must be corrected. Class divisions are unavoidable in society: "There will be rich and poor; creditors and debtors." The problem is that the rich are a minority and the poor are a majority. The solution is a large republic wherein "the people are broken into so many interests and parties" that they will be unable to unite and make their weight felt effectively. Madison thus recommends the "reprobated axiom of tyranny": "Divide et impera [divide and conquer]."

Like Madison and the other Federalists, John Stevens, Jr. is quite clear on the nature of true democracy and the difference between it and the representative system he prefers. He goes on to advocate (as do numerous other Federalists) a further refinement of the representative system such that it is even less likely to operate in majoritarian fashion, in a "turbulent spirit," namely the division of the legislature into two separate bodies and the further division of the government by having a separate executive and judiciary. All of these "separation of powers" provisions, with the added stipulation that the territory of the new state be very large rather than small, will serve to check the "gusts of passion," the "sedition and discontent," the "paroxysm," and the "insanity" of the people.

In sum, Madison and his fellow Federalists purposely and ingeniously devised a system of government that, although arguably "derived" from the people since it was based on elections, was nonetheless guaranteed to act principally in the interests of elites rather than the majority.

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### The Antifederalist case

Like the Federalists, the Antifederalists knew of the actual democracy of the ancient Athenians. They were equally aware that such a "pure democracy" (unmodified) would be impossible in a territory as large as the United States. But, unlike the Federalists, the Antifederalists valued the majoritarian principle of democracy, and their concern was how to make it work even under the necessity of representation. The key was to make representation *actual*, such that the representatives were identical to the people at large. The representatives were not, as in the Federalist scheme, to be a superior class of persons. Rather, as Melancton Smith puts it, "they should be a true picture of the people." Or, as Brutus explains, they "must be such, as to possess, be disposed, and consequently qualified to declare the sentiments of the people; for if they do not know, or are not disposed to speak the sentiments of the people, the people do not govern, but the sovereignty is in a few." This, in essence, is the Antifederalist argument. Given that representation is the only practicable arrangement for the new government, it should be so constructed that the representatives are of the *same*--not a higher--class as the people at large. And one of the principal requirements of such a representation is that it be very large. But this was not what the Constitution called for. Its legislature was extremely small. It would therefore inevitably be composed only of the highest personages, the "natural aristocracy" of the country, and not at all be truly representative of the people as a whole.

A small representation not only results in immediate elite representation, it also means that the members of the legislature will in time be additionally subject to "the fatal effects of corruption and influence." Given this dynamic, the Antifederalists argued that the Federalists' claim in defense of the Constitution that the country's proud and independent yeomanry would never allow any elected elite to subdue them was spurious. The Federal Farmer (an Antifederalist) answered that "they may in twenty or thirty years be by means imperceptible to them, totally deprived of that boasted weight and strength."

The Antifederalists recognized and repeatedly stated a stark reality of representation whose significance somehow seems almost entirely to have escaped the modern political science profession, namely that "in the nature of things" elections result in representatives who are of a higher class than common folk. In other words, the "representation" embodied in representative systems, and with it the supposed efficacy of elections in transmitting the will of the people to the government, is a fiction. Brutus explained this as well as anyone: "The great body of the yeom[e]n of the country cannot expect any of their order in this assembly--the station will be too elevated for them to aspire to--the distance between the people and their representatives, will be so very great, that there is no probability that a farmer, however respectable, will be chosen--the mechanics of every branch, must expect to be excluded from a seat in this Body--It will and must be esteemed a station too high and exalted to be filled by any but the first men in the state, in point of fortune; so that in reality there will be no part of the people represented, but the rich, even in that branch of the legislature, which is called the democratic. . . . It will literally be a government in the hands of the few to oppress and plunder the many."

Another of Brutus' insights is that, although there are exceptions, politicians as a group are by nature people of an ambitious, conniving, venal personality-type; they therefore cannot be trusted. "Men of this character are, generally, artful and designing, and frequently possess brilliant talents and abilities; they commonly act in concert, and agree to share the spoils of their country among them; they will keep their object ever in view, and follow it with constancy. To effect their purpose, they will assume any shape, and Proteus like, mould themselves into any form." It is therefore a vain expectation that elected bodies will ever consistently and over long periods of time "do the right thing", i.e. act in the common good. It simply does not and will not happen.

The Antifederalists had democratic sentiments, but they did not really offer an alternative to the national government of the Constitution--other than, perhaps, a modified Articles of Confederation. In the main they were content with their independent state governments, which, due to their relatively small sizes and healthier representative-to-citizen ratios, among other state constitutional provisions, at least had a semblance of democracy. Today we can rightfully laud the Antifederalists for their populist convictions, their outstanding insights on the nature of government, and their principled resistance to tyranny. But we can do better than they. We can devise a veritable democracy in a large country, which is what we, Democracy for the USA, have done elsewhere on this website.

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## DOCUMENTS

### Federalists

[Madison, Federalist #10] 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 . . . 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 a minority of the whole, who are united and actuated by some common impulse of passion, or of interests, adverse to the rights of other citizens, or to the permanent and aggregate interests of the community. . . .

The diversity in the faculties of men, from which the rights of property originate, is . . . an unsurpassable 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. . . .

[T]he 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. . . . The regulation of these various and interfering interests forms the principal task of modern legislation. . . .

Is a law proposed concerning private debts? It is a question to which the creditors are parties on one side and the debtors on the other. Justice ought to hold the balance between them. Yet . . . the most numerous party, or in other words, the most powerful faction must be expected to prevail. . . . The apportionment of taxes on the various descriptions of property is an act which seems to require the most exact impartiality; yet there is, perhaps, no legislative act in which greater opportunity and temptation are given to a predominant party to trample on the rules of justice. Every shilling with which they overburden the inferior number is a shilling saved to their own pockets. . . .

When a majority is included in a faction, the form of popular government . . . 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 . . . is then the great object to which our inquiries are directed. . . .

By what means is this object attainable? . . . [T]he majority . . . must be rendered, by their number and local situation, unable to concert and carry into effect schemes of oppression. . . .

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. . . . Hence it is that such democracies . . . have ever been found incompatible with personal security or the rights of property. . . .

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 a pure democracy. . . .

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 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. . . .

[A large republic] . . . will present a greater option, and consequently a greater probability of a fit choice [for representatives].

[A]s each representative will be chosen by a greater number of citizens in the large than in the small republic . . . the suffrages of the people . . . will be more likely to center on men who possess the most attractive merit and the most diffuse and established characters. . . .

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 factions 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. . . .

[The advantages of a large, representative republic] consist in the substitution of representatives whose enlightened views and virtuous sentiments render them superior to local prejudices and to schemes of injustice. . . . [and] 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 . . . [and] in the greater obstacles opposed to the concert and accomplishment of the secret wishes of an unjust and interested majority. . . .

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 [state, county, or district]. (*FP*, 122)

[Madison, Federalist # 51] [T]he society itself will be broken into so many parts, interests and classes of citizens, that the rights of individuals, or of the minority, will be in little danger from interested combinations of the majority. (*FP*, 321)

[Noah Webster] [I]n a perfect government, all the members of a society should be present, and each give his suffrage in acts of legislation, by which he is to be bound. This is impracticable in all large states; and even, were it not, it is very questionable whether it would be the *best* mode of legislation. It was however practised in the free states of antiquity; and was the cause of innumerable evils. To avoid these evils, the moderns have invented the doctrine of *representation*, which seems to be the perfection of human government. (*DC*, v.1, 130b)

[Madison, letter to Thomas Jefferson] A constitutional negative on the laws of the States seems . . . necessary to secure individuals against encroachments on their rights. The mutability of the States is found to be a serious evil. The injustice

of them has been . . . frequent and . . . flagrant. . . [T]he evils issuing from these sources contributed more to that uneasiness which produced the Convention . . . than . . . the inadequacy of the Confederation. . . A reform therefore which does not make provision for private rights, must be materially defective. The restraints against paper emissions, and violations of contracts are not sufficient. Supposing them to be effectual as far as they go, they are short of the mark. Injustice may be effected by such an infinitude of legislative expedients, that . . . it can only be controuled by some provision which reaches all cases whatsoever. . . . Those who contend for a simple Democracy . . . actuated by the sense of the majority, and operating within narrow limits, assume or suppose a case which is altogether fictitious. They found their reasoning on the idea, that the people composing the Society, enjoy not only an equality of political rights; but that they have all precisely the same interests, and the same feelings in every respect. Were this in reality the case, their reasoning would be conclusive. The interest of the majority would be that of the minority also; the decisions could only turn on mere opinion concerning the good of the whole, of which the major voice would be the safest criterion; and within a small sphere, this voice could be most easily collected, and the public affairs most accurately managed. We know however that no Society ever did or can consist of so homogeneous a mass of Citizens. . . . In all civilized Societies, distinctions are various and unavoidable. A distinction of property results from that very protection which a free Government gives to equal faculties of acquiring it. There will be rich and poor; creditors and debtors; a landed interest, a monied interest. . . . If then there must be different interests and parties in Society; and a majority when united by a common interest or passion can not be restrained from oppressing the minority, what remedy can be found in a republican Government, where the majority must ultimately decide, but that of giving such an extent to its sphere, that no common interest or passion will be likely to unite a majority of the whole number in an unjust pursuit. In a large Society, the people are broken into so many interests and parties, that a common sentiment is less likely to be felt, and the requisite concert less likely to be formed, by a majority of the whole. . . . Divide et impera, the reprobated axiom of tyranny, is under certain qualifications, the only policy, by which a republic can be administered on just principles. . . . The great desideratum of Government is, so to modify the sovereignty as that it may be sufficiently neutral between different parts of the Society to controul one part from invading the rights of another. (DC, v.1, 198)

[Americanus (John Stevens, Jr.)] We are naturally inclined, without the aid of reason and experience, to suppose that in a free government every man should have a right to a personal vote on every measure. This is the rock on which all Democratic Governments have split. . . . But reason and experience have at length convinced us of the impropriety of the people themselves interfering, in any shape, in the administration of Government. The powers of Government must, of necessity, be delegated. It was the English who first discovered the secret, of which the ancients were totally ignorant, of Legislation by Representation. This is the hinge on which all Republican Governments must move. But we must proceed a step farther. It has also been discovered, that faction cannot be expelled even from a *Representative* body, while possessed *singly* of the whole of the Legislative power. Hence two distinct Legislative bodies have been contrived, farther to check this turbulent spirit. But even this, too, has been found insufficient. To give, therefore, the last finish to this beautiful model of Republican Government, it has been found necessary to place one more check, by giving the Executive and Judicial a revisory power. But, so prone is the spirit of man to party and faction, that even this admirable system will not prevent their [mischievous] efforts, in a state possessing a "small territory." The next expedient, then, is to unite a number of these lesser communities under one Federal Head. The chain of dependence, thus lengthened, will give a permanency, consistency, and uniformity to a *Federal* Government, of which that of a *single* State is, in its nature, incapable. The gusts of passion, which faction is ever blowing up in "*a small territory*," lose their force before they reach the seat of *Federal* Government. Republics, limited to a *small territory*, ever have been, and, from the nature of man, ever will be, liable to be torn to pieces by faction. When the citizens are confined within a narrow compass . . . it is within the power of a factious demagogue to scatter sedition and discontent, instantaneously, thro' every part of the State. . . . The people, thrown suddenly into passion, whilst this paroxysm, whilst this fit of insanity continues, commit a thousand enormities; and it is well if the Government itself escapes from total subversion. (DC, v.1, 228)



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## **Antifederalists**

[Brutus] In every government, the will of the sovereign is the law. In despotic governments, the supreme authority being lodged in one, his will is law, and can be as easily expressed to a large extensive territory as to a small one. In a pure democracy the people are the sovereign, and their will is declared by themselves; for this purpose they must all come together to deliberate, and decide. This kind of government cannot be exercised, therefore, over a country of any considerable extent; it must be confined to a single city, or at least limited to such bounds as that the people can conveniently assemble, be able to debate, understand the subject submitted to them, and declare their opinion concerning it.

In a free republic, although all laws are derived from the consent of the people, yet the people do not declare their consent by themselves in person, but by representatives, chosen by them, who are supposed to know the minds of their constituents, and to be possessed of integrity to declare this mind. . . .

If the people are to give their assent to the laws, by persons chosen and appointed by them, the manner of the choice and the number chosen, must be such, as to possess, be disposed, and consequently qualified to declare the sentiments of the people; for if they do not know, or are not disposed to speak the sentiments of the people, the people do not govern, but the sovereignty is in a few. Now, in a large extended country, it is impossible to have a representation, possessing the sentiments, and of integrity, to declare the minds of the people, without [it being excessively] numerous and unwieldy. (*DC*, v.1, 171)

[Federal Farmer] The essential parts of a free and good government are a full and equal representation of the people in the legislature, and the jury trial of the vicinage in the administration of justice--a full and equal representation, is that which possesses the same interests, feelings, opinions, and views the people themselves would were they all assembled--a fair representation, therefore, should be so regulated, that every order of men in the community, according to the common course of elections, can have a share in it--in order to allow professional men, merchants, traders, farmers, mechanics, etc. to bring a just proportion of their best informed men respectively into the legislature, the representation must be considerably numerous. (*DC*, v.1, 254)

[Federal Farmer, contd.] [T]he house of representatives, the democratic branch, as it is called, is to consist of 65 members; that is, about one representative for fifty thousand inhabitants, to be chosen biennially. . . . Thirty-three representatives will make a quorum for doing business, and a majority of those present determine the sense of the house.--I have no idea that the interests, feelings, and opinions of three or four millions of people . . . can be collected in such a house.--In the nature of things, nine times in ten, men of elevated classes in the community only can be chosen. . . . The people of this country, in one sense, may all be democratic; but if we make the proper distinction between the few men of wealth and abilities, and consider them, as we ought, as the natural aristocracy of the country, and the great body of the people, the middle and lower classes, as the democracy, this federal representative branch will have but very little democracy in it. (*DC*, v.1, 260)

[Federal Farmer, contd.] [I]t may be observed, that it is extremely difficult to secure the people against the fatal effects of corruption and influence. The power of making any law will be in the president, eight senators, and seventeen representatives. . . . Where there is a small representation a sufficient number to carry any measure may, with ease, be influenced by bribes, offices and civilities; they may easily form private junctoes, and out-door meetings, agree on measures, and carry them by silent votes. (*DC*, v.1, 265)

[Federal Farmer, contd.] [T]he great body of the people, in the nature of things, will be only nominally represented [in this government]. . . . [I]t is impossible for forty, or thirty thousand people in this country, one time in ten to find a man who can possess similar feelings, views, and interests with themselves: powers to lay and collect taxes and to raise armies are of the greatest moment . . . and the yeomanry . . . of the country ought substantially to have a check upon the passing of these laws. . . . It is true, the yeomanry of the country possess the lands, the weight of property, possess arms, and are too strong a body of men to be openly offended--and, therefore, it is urged, they will take care of themselves, that men who shall govern will not dare pay any disrespect to their opinions. It is easily perceived, that if they have not their proper negative upon passing laws in congress, or on the passage of laws relative to taxes and armies, they may in twenty or thirty years be by means imperceptible to them, totally deprived of that boasted weight and strength. (*DC*, v. 1, 269)

[Federal Farmer, contd.] [W]hen power is once transferred from the many to the few, all changes become extremely difficult; the government, in this case, being beneficial to the few, they will be exceedingly artful and adroit in preventing any measures which may lead to a change; and nothing will produce it, but great exertions and severe struggles on the part of the common people. Every man of reflection must see, that the change now proposed, is a transfer of power from the many to the few, and the probability is, that artful and ever active aristocracy, will prevent all peaceable measures for changes. (*DC*, v. 1, 281)

[Federal Farmer, contd.] I have examined the federal constitution. . . . It opens to my mind a new scene; instead of seeing powers cautiously lodged in the hands of numerous legislators, and many magistrates, we see all important powers collecting in one centre, where a few men will possess them almost at discretion. And instead of checks in the formation of the government, to secure the rights of the people against the usurpation of those they appoint to govern, we are to understand the equal division of lands among our people, and the strong arm furnished them by nature and situation, are to secure them against those usurpations. If there are advantages in the equal division of our lands, and the strong and manly habits of our people, we ought to establish governments calculated to give duration to them, and not governments which can never work naturally, till that equality of property, and those free and manly habits shall be destroyed; these evidently are not the natural basis if the proposed constitution.--No man of reflection, and skilled in the science of government, can suppose these will move on harmoniously together for ages, or even for fifty years. . . .

[T]he value of every feature in this system is vastly lessened for the want of that one important feature in a free government, a representation of the people . . . a democratic branch . . . sufficiently numerous, to admit some of the best informed men of each order in the community into the administration of government. (*DC*, v. 1, 282)

[Brutus] The very term, representative, implies, that the person or body chosen for this purpose, should resemble those who appoint them--a representation of the people of America, if it be a true one, must be like the people. It ought to be so constituted, that a person, who is a stranger to the country, might be able to form a just idea of their character, by knowing that of their representatives. They are the sign--the people are the thing signified. It is absurd to speak of one thing being the representative of another, upon any other principle. The ground and reason of representation, in a free government, implies the same thing. Society instituted government to promote the happiness of the whole, and this is the great end always in view in the delegation of powers. It must then have been intended, that those who are placed instead of the people, should possess their sentiments and feelings, and be governed by their interests, or, in other words, should bear

the strongest resemblance of those in whose room they are substituted. It is obvious, that for an assembly to be a true likeness of the people of any country, they must be considerably numerous.--One man, or a few men, cannot possibly represent the feelings, opinions, and characters of a great multitude. In this respect, the new constitution is radically defective.--The house of assembly, which is intended as a representation of the people of America, will not, nor cannot, in the nature of things, be a proper one--sixty-five men cannot be found in the United States, who hold the sentiments, possess the feelings, or are acquainted with the wants and interests of this vast country. This extensive continent is made up of a number of different classes of people; and to have a proper representation of them, each class ought to have an opportunity of choosing their best informed men for the purpose; but this cannot possibly be the case in so small a number. The state of New-York, on the present apportionment, will send six members to the assembly: I will venture to affirm, that number cannot be found in the state, who will bear a just resemblance to the several classes of people who compose it. In this assembly, the farmer, merchant, mechanic, and other various orders of people, ought to be represented according to their respective weight and numbers; and the representatives ought to be intimately acquainted with the wants, understand the interests of the several orders in the society, and feel a proper sense and becoming zeal to promote their prosperity. I cannot conceive that any six men in this state can be found properly qualified in these respects to discharge such important duties: but supposing it possible to find them, is there the least degree of probability that the choice of the people will fall upon such men? According to the common course of human affairs, the natural aristocracy of the country will be elected. Wealth always creates influence. . . . [T]his class in society . . . will always favour each other--it is their interest to combine--they will therefore constantly unite their efforts to procure men of their own rank to be elected--they will center all their force in every part of the state into one point, and by acting together, will most generally carry their election. It is probable, that but few of the merchants, and those the most opulent and ambitious, will have a representation from their body--few of them are characters sufficiently conspicuous to attract the notice of the electors of the state in so limited a representation. The great body of the yeomanry of the country cannot expect any of their order in this assembly--the station will be too elevated for them to aspire to--the distance between the people and their representatives, will be so very great, that there is no probability that a farmer, however respectable, will be chosen--the mechanics of every branch, must expect to be excluded from a seat in this Body--It will and must be esteemed a station too high and exalted to be filled by any but the first men in the state, in point of fortune; so that in reality there will be no part of the people represented, but the rich, even in that branch of the legislature, which is called the democratic.--The well born, and highest orders in life, as they term themselves, will be ignorant of the sentiments of the middling class of citizens, strangers to their ability, wants, and difficulties, and void of sympathy, and fellow feeling. This branch of the legislature will not only be an imperfect representation, but there will be no security in so small a body, against bribery, and corruption. . . . [T]wenty-five men [a bare majority of the minimal quorum attendance for the House and Senate together], will have the power to give away all the property of the citizens of these states--what security therefore can there be for the people, where their liberties and property are at the disposal of so few men? It will literally be a government in the hands of the few to oppress and plunder the many. You may conclude with a great degree of certainty, that it . . . will be managed by influence and corruption, and that the period is not far distant, when this will be the case, if it should be adopted.

The rulers of this country must be composed of very different materials from those of any other, of which history gives us any account, if . . . these states will [not] soon be under the absolute dominion of one, or a few, with the fallacious appearance of being governed by men of their own election.

The more I reflect on this subject, the more firmly am I persuaded, that the representation is merely nominal--a mere burlesque; and that no security is provided against corruption and undue influence. No free people on earth, who have elected persons to legislate for them, ever reposed that confidence in so small a number. (*DC*, v. 1, 320)

[Cato] It is alledged that the opinions and manners of the people of America, are capable to resist and prevent an extension of prerogative or oppression; but you must recollect that opinion and manners are mutable, and may not always

be a permanent obstruction against the encroachments of government; that the progress of a commercial society begets luxury, the parent of inequality, the foe to virtue, and the enemy to restraint; and that ambition and voluptuousness aided by flattery, will teach magistrates, where limits are not explicitly fixed[,] to have separate and distinct interests from the people. . . . Therefore, a general presumption that rulers will govern well is not a sufficient security.--You are then under a sacred obligation to provide for the safety of your posterity, and would you now basely desert their interest[?] . . . Is it because you do not believe that an American can be a tyrant? If this be the case you rest on a weak basis, Americans are like other men in similar situations. . . . [Y]our posterity will find that great power connected with ambition, luxury, and flattery, will as readily produce a Caesar, Caligula, Nero, and Domitian in America, as the same causes did in the Roman empire. . . .

It is a very important objection to this government, that the representation consists of so few; too few to resist the influence of corruption, and the temptation to treachery, against which all governments ought to take precautions. (*DC*, v. 1, 400, 402)

[Brutus] [I]t is a matter of the highest importance, in forming [a representative government], that it be so constituted as to be capable of understanding the true interests of the society for which it acts, and so disposed as to pursue the good and happiness of the people as its ultimate end. The object of every free government is the public good, and all lesser interests yield to it. That of every tyrannical government, is the happiness and aggrandisement of one, or a few, and to this the public felicity, and every other interest must submit. . . . The great art, therefore, in forming a good constitution, appears to be this, so to frame it, as that those to whom the power is committed shall be subject to the same feelings, and aim at the same objects as the people do, who transfer to them their authority. There is no possible way to effect this but by an equal, full and fair representation; this, therefore, is the great desideratum in politics. However fair an appearance any government may make, though it may possess a thousand plausible articles and be decorated with ever so many ornaments, yet if it is deficient in this essential principle of a full and just representation of the people, it will be only like a painted sepulchre . . . it cannot be a free government . . . it . . . will be a government, not according to the will of the people, but according to the will of a few. . . .

The small number which is to compose this legislature, will not only expose it to the danger of that kind of corruption, and undue influence, which will arise from the gift of places of honor and emolument, or the more direct one of bribery, but it will also subject it to another kind of influence no less fatal to the liberties of the people, though it be not so flagrantly repugnant to the principles of rectitude. It is not to be expected that a legislature will be found in any country that will not have some of its members, who will pursue their private ends, and for which they will sacrifice the public good. Men of this character are, generally, artful and designing, and frequently possess brilliant talents and abilities; they commonly act in concert, and agree to share the spoils of their country among them; they will keep their object ever in view, and follow it with constancy. To effect their purpose, they will assume any shape, and Proteus like, mould themselves into any form. . . . The firmest security against [the machinations of such men] is a strong and numerous representation: in such a house of assembly, so great a number must be gained over, before the private views of individuals could be gratified that there could be scarce a hope of success. But in the [proposed] foederal assembly, seventeen men are all that is necessary to pass a law. . . . Whether it is practicable to have a representation of the whole union sufficiently numerous to obtain [the people's] confidence . . . is an important question. I am clearly of opinion, it is not. . . .

In order for the people safely to repose themselves on their rulers, they should not only be of their own choice. But it is requisite they should be acquainted with their abilities to manage the public concerns with wisdom. They should be satisfied that those who represent them are men of integrity, who will pursue the good of the community with fidelity; and will not be turned aside from their duty by private interest, or corrupted by undue influence; and that they will have such a zeal for the good of those whom they represent, as to excite them to be diligent in their service; but it is impossible the people of the United States should have sufficient knowledge of their representatives, when the numbers

are so few, to acquire any rational satisfaction on either of these points. The people of this state will have very little acquaintance with those who may be chosen to represent them; a great part of them will, probably, not know the characters of their own members, much less that of a majority of those who will compose the foederal assembly; they will consist of men, whose names they have never heard, and of whose talents and regard for the public good, they are total strangers to. . . . [B]eing so far removed from the people, [the] station [of the representatives] will be elevated and important, and they will be considered as ambitious and designing. They will not be viewed by the people as part of themselves, but as a body distinct from them, and having separate interests to pursue. . . .

[Such an assembly], at best, can be considered but as the shadow of representation. (*DC*, v. 1, 423)

[Pennsylvania Convention minority] The legislature of a free country should be so formed as to have a competent knowledge of its constituents, and enjoy their confidence. To produce these essential requisites, the representation ought to be fair, equal, and sufficiently numerous, to possess the same interests, feelings, opinions, and views, which the people themselves would possess, were they all assembled; and so numerous as to prevent bribery and undue influence, and so responsible to the people, by frequent and fair elections, as to prevent their neglecting or sacrificing the views and interests of their constituents, to their own pursuits. . . .

[I]t appears that the liberties, happiness, interests, and great concerns of the whole United States may be dependent upon the integrity, virtue, wisdom, and knowledge of 25 or 26 men.--How unadequate and unsafe a representation! . . . [F]rom the nature of the thing, men of the most elevated rank in life, will alone be chosen. The other orders in the society, such as farmers, traders, and mechanics, who all ought to have a competent number of their best informed men in the legislature, will be totally unrepresented. (*DC*, v. 1, 541)

[Pennsylvania Convention minority, contd.] This large state [Pennsylvania] is to have but ten members in that Congress which is to have the liberty, property and dearest concerns of every individual in this vast country at absolute command. . . . From the mode of their election . . . they will consist of the lordly and high-minded; of men who will have no congenial feelings with the people, but a perfect indifference for, and contempt of them; they will consist of those harpies of power, that prey upon the very vitals; that riot on the miseries of the community. . . . If the people part with a responsible representation in the legislature . . . they have nothing left they can call their own. Miserable is the lot of that people whose every concern depends on the WILL and PLEASURE of their rulers. Our soldiers will become Janissaries, and our officers of government Bashaws; in short, the system of despotism will soon be completed. (*DC*, v. 1, 549)

[George Mason] With respect to the representation so much applauded, I cannot think it such a full and free one as it is represented; but I must candidly acknowledge, that this defect results from the very nature of the Government. It would be impossible to have a full and adequate representation in the General Government; it would be too expensive and too unwieldy: We are then under the necessity of having this a very inadequate representation: Is this general representation to be compared with the real, actual, substantial representation of the State Legislatures? It cannot bear a comparison. To make representation real and actual, the number of Representatives ought to be adequate; they ought to mix with the people, think as they think, feel as they feel, ought to be perfectly amenable to them, and thoroughly acquainted with their interest and condition: Now these great ingredients are, either not at all, or in so small a degree, to be found in our Federal Representatives, that we have no real, actual, substantial representation. . . . There is one thing in it which I conceive to be extremely dangerous. Gentlemen may talk of public virtue and confidence; we shall be told that the House of Representatives will consist of the most virtuous men on the Continent, and that in their hands we may trust our dearest rights. This, like all other assemblies, will be composed of some bad and some good men; and considering the natural lust of power so inherent in man, I fear the thirst of power will prevail to oppress the people. (*DC*, v. 2, 607)

[Patrick Henry] Consider the mode of elections in England. Behold the progress of an election in an English shire. A man of an enormous fortune will spend 30,000 l. or 40,000 l. to get himself elected. This is frequently the case. Will the Honorable Gentleman say, that a poor man, as enlightened as any man in the island, has an equal chance with a rich man, to be elected? He will stand no chance though he may have the finest understanding of any man in the shire. It will be so here. Where is the chance that a poor man can come forward with the rich? The Honorable Gentleman will find that instead of supporting Democratical principles, it goes absolutely to destroy them. (*DC*, v. 2, 682)

[Melancton Smith] The idea that naturally suggests itself to our minds, when we speak of representatives is, that they resemble those they represent; they should be a true picture of the people; possess the knowledge of their circumstances and their wants; sympathize in all their distresses, and be disposed to seek their true interests. The knowledge necessary for the representatives of a free people, not only comprehends extensive political and commercial information, such as is acquired by men of refined education, who have leisure to attain to high degrees of improvement, but it should also comprehend that kind of acquaintance with the common concerns and occupations of the people, which men of the middling class of life are in general much better competent to, than those of a superior class. . . .

From these observations results this conclusion that the number of representatives should be so large, as that while it embraces men of the first class, it should admit those of the middling class of life. I am convinced that this Government is so constituted, that the representatives will generally be composed of the first class in the community, which I shall distinguish by the name of the natural aristocracy of the country. . . . In every society, men of this class will command a superior degree of respect--and if the government is so constituted as to admit but few to exercise the powers of it, it will, according to the natural course of things, be in their hands. Men in the middling class, who are qualified as representatives, will not be so anxious to be chosen as those of the first. When the number is so small the office will be highly elevated and distinguished--the stile in which the members live will probably be high--circumstances of this kind, will render the place of a representative not a desirable one to sensible, substantial men, who have been used to walk in the plain and frugal paths of life.

Besides, the influence of the great will generally enable them to succeed in elections--it will be difficult to combine a district of country containing 30 or 40,000 inhabitants, frame your election laws as you please, in any one character; unless it be in one of conspicuous, military, popular, civil or legal talents. The great easily form associations; the poor and middling class form them with difficulty. . . . [I]t is almost certain, none but the great will be chosen--for they easily unite their interest--The common people will divide, and their divisions will be promoted by the others. There will be scarcely a chance of their uniting, in any other but some great man, unless in some popular demagogue, who will probably be destitute of principle. A substantial yeoman of sense and discernment, will hardly ever be chosen. From these remarks it appears that the government will fall into the hands of the few and the great. This will be a government of oppression. . . . Those in middling circumstances, have less temptation--they are inclined . . . to set bounds to their passions and appetites . . . hence the substantial yeomanry of the country are more temperate, of better morals and less ambitious than the great. The latter do not feel for the poor and middling class . . . they are not obliged to use the pains and labour to procure property as the other.--They feel not the inconveniences arising from the payment of small sums. The great consider themselves above the common people--entitled to more respect--do not associate with them--they fancy themselves to have a right of pre-eminence in every thing. In short, they possess the same feelings, and are under the influence of the same motives, as an hereditary nobility. . . . Such distinctions exist all the world over . . . and are founded in the nature of things. . . . Will any one say, that there does not exist in this country the pride of family, of wealth, of talents; and that they do not command influence and respect among the common people? . . . We ought to guard against the government being placed in the hands of this class--They cannot have that sympathy with their constituents which is necessary to connect them closely to their interest: Being in the habit of profuse living, they will be profuse in the public expences. . . .

In so small a number of representatives, there is great danger from corruption and combination. A great politician has said that every man has his price. . . . The most effectual as well as natural security against [such corruption], is a strong democratic branch in the legislature frequently chosen, including in it a number of the substantial, sensible yeomanry of the country. Does the house of representatives answer this description? I confess, to me they hardly wear the complexion of a democratic branch--they appear the mere shadow of representation. The whole number in both houses amounts to 91--Of these 46 make a quorum; and 24 of those being secured, may carry any point. Can the liberties of three millions of people be securely trusted in the hand of 24 men? c (*DC*, v. 2, 759)