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Curtius III

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An ADDRESS to FEDERALISTS.

... But, as history has shewn the danger of great national revolutions, and as reason pronounces that the frequency of change must beget an habit of inconstancy in the minds of the people, let us for once enquire, why an alteration in the government of these states is considered as necessary—why it is so fervently wished for, and so confidently expected? This enquiry is easily resolved. For, besides the reasons furnished by the foregoing reflections, the federal government in its present situation is utterly incapable of combining or of supporting the various interests of the union. Nor ought, what should have been expected, to create the least degree of surprise; since the confederation was formed, when the principles of legislation were comparatively but ill understood; when the common cause of liberty and the sense of common danger united us in the most indissoluble bonds; and when the great object of all our patriotic reflections was, not to form a political system, but to repel a powerful enemy. The present construction of our union being, therefore, as it were by accident, radically repugnant to every wise principle in jurisprudence, any trifling alteration rendering it efficient to temporary purposes, would as certainly cause its final operation to be both absurd and oppressive. While its laws, or rather its *recommendations* are the subjects of ridicule, while its exertions excite opposition and abhorrence, can we conceive of a government more open to anarchy, or more destructive in its issue? Our foreign politics and our domestic economy are equally deranged. Our friends are disgusted, and our enemies treat us with contempt. The states are disobedient to the most constitutional requisitions, and an energy is wanting necessary to the support of any government. The state of New-York and the state of Delaware bear an equal weight in the federal councils, and the inconveniencies of so disproportionate a representation must sooner or later be felt. In fine, an incapacity to regulate the common concerns of the union is daily experienced, or to discharge its most indispensable obligations, either at home or abroad. It may be added, that among the states themselves, we trace the symptoms of growing disaffection, mutual jealousy, separate interest, and local prejudice. Injustice, faction and confusion, call into birth the deadliest animosities.—Such is the real, but awful situation of our public affairs!

Whether should opposition most excite, our pity, our indignation, or our contempt? Is it possible, that, as the moderate Publius supposes, there may, from human fallability, be men so blind to the interest of their country, as to oppose from principle the most obvious dictates of wisdom? Can there be any, who from an honest motive, would suffer such an important period

to pass unimproved? If once the golden opportunity wings its departure, it may never return, unless conducted back by the sanguinary horrors of civil discord. When the illustrious Father of his country was called on by the Convention to ratify the Constitution as its President—holding the pen, after a short pause, he pronounced these words, too remarkable to be forgotten or unknown—“*Should the states reject this excellent Constitution, the probability is, an opportunity will never again offer to cancel another in peace—the next will be drawn in blood!*”—Great Heaven, avert the direful catastrophe! But may the rising glories of his country gild his declining horizon, and her smiling prosperity cheer his heart as sinking into the embrace of death!

But what are we to feel when the dark arcana of opposition are disclosed? What, when the judgment of common sense is affronted by a denial of the most interesting truths? Anti-federal writers scruple not to declare that our interest consists in *dis-union*. Go then, my countrymen, forget your weakness and your danger when divided. Forget the experience of ancient Greece. Forget your mutual sufferings, and the blood you mingled for a dear-bought Independence. Forget the endearing ties by which you are related, that you are friends and brethren. Go then, destroy your emblems of your union, and bury your standards in the dust.

Cato seems to dread the too energetic powers of the proposed Constitution, and bids us “beware of despotism as the greatest of all evils:” but anon, it is metamorphosed by his versatile imagination into a pure republican construction, “incapable of combining or of preserving the peace of these states.” Brutus is equally consistent. “We have felt (he acknowledges) the feebleness of our ties and the want of sufficient energy;” and yet he is dismally apprehensive, that what he declares, will amount to “a perfect and entire consolidation,” will render our disunion the more probable. Under our present impotent and despised government, while the states are guilty of unjust practices and malicious retaliations towards each other, neither of these writers appear to have any apprehensions; but the instant the union is to be strengthened, and such practices overruled, they give an alarm: to their bewildered fancies or pretended fears, our “climates, productions and customs grow varient,” and our interests begin to draw with an irresistible force into opposite direction. And “this forbids (says Brutus) that we should be connected under one government.” But why did not Brutus forbid that the counties of New-York should be consolidated into one government? Behold through what a variety of climates she extends her variegated territory; from the commercial ocean, through the frigid regions of the North, and along the uncultivated borders of the Great Ontario! But be assured that neither the mandates of Brutus, nor the threatened *factions* of Cato, with his “powerful mal-contents,” shall ever dissolve a union dictated by necessity and safety, supported by the dearest ties of national amity, and founded in principles, the propriety of which the experience of ages has demonstrated.

Both these writers appeal to the authority of the celebrated Montesquieu, to shew the impropriety of an extensive republic, and the impossibility under such a government to take cognizance of, or to do justice to the local necessities of its subjects. But Brutus and Cato pervert his sense by their confounding the *simple democracy* of which he treats, with the complex plan of the federal constitution. Thus they disguise those peculiar circumstances which ought to characterise our political situation from all others. To furnish a solution to objections drawn from this favorite source, we have only to attend to the two following distinctions: First, the president of the United States is to possess certain executive powers, which will give the federal government the guarded efficiency of an elective monarchy. For the abuse of these powers he *alone* is answerable, and

by the representatives of the people he may at any time be impeached. But as his accuser and his judge ought not to be the same, his trial is before a senate, in which each state bears an equal sway; so that although he be a *favorite of the strong* he may be made to tremble before the *justice of the weak*. Secondly, the existence and office of the state legislatures. How vain, how invidious is the pretence that these must perish under the operation of the supreme jurisdiction; when, from the very mode of appointing the different branches of the federal government, it must, at the same time, thus work its own annihilation. Brutus artfully throws a veil over the existence of the state legislatures, by endeavouring to confound them with the supreme. For this purpose, he observes, that “it will be impossible for the supreme legislature to attend to the various internal concerns of so extensive an empire.” But the duties to be attended to by this supreme legislative head, are to be drawn from the letter of the constitution. They are principally of the great national kind, while the local concerns of states, or the necessities of particular districts fall not within the sphere of its jurisdiction, but are left under the direction of the states individually. From this beautiful arrangement, subjects so different in their nature, instead of being confounded, will for ever claim the unembarrassed attention of men best competent to their discussion.

The existence, office, and mutual dependence of these *inferior* and *superior powers*, might have in part originated in a delicate unwillingness in your Convention to break in upon the already formed habits of their constituents. From the same free people, both are immediately derived; which can therefore never be interested in each other’s destruction. But should our ambitious designs be cherished by the former, the latter stand the centinels of freedom to sound an alarm. And should ever the improbable event take place, (but which however may take place under *any* government); should ever the liberties of the people be violated by the execution of such designs; from this constitution they must experience a peculiar advantage. For while under other governments in such circumstances, the people are obliged, in order to obtain redress, to resolve themselves into a state of anarchy and tumult, in which they often fall a sacrifice to the demagogues of their own party: here they may do themselves justice, and resist every encroachment of despotism, with the advantages of combination, system, and arrangement under their state legislatures. On the other hand, should the latter, which is quite as probable, usurp an undue or oppressive authority over them, the union is bound to guard the rights of the injured, and to guarantee to each state a republican form of government.

Having thus considered a part of the admirable construction of the proposed Constitution, it appears that the objections of its enemies serve but to display and to elucidate its excellencies. I view this fair, this stately edifice of liberty, as rising under the forming hand of Heaven to render America the blissful seat of human glory and perfection. Its structure, fitness and proportion, attract our admiration, and become more illustriously conspicuous upon every review; while it rests upon thirteen pillars of adamant,¹ and new states must but add stability to its immovable basis. From the specimens we have received, it may be justly expected, that the writings of Publius will reflect a pleasing lustre upon many of those beautiful intricacies, that are retired from superficial observation, and which require a master discernment to be brought into public notice.

1. An adamant is a legendary stone of extreme hardness, sometimes the diamond.

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