

Brutus #1, 18 October 1787

- I can explain the major Anti-Federalist concerns with the Constitution.
- I can develop an argument using evidence from primary sources.

Building Context: After the Constitution was signed in Philadelphia in September of 1787, a vigorous debate over its ratification began. Supporters of the new Constitution were known as Federalists. Anti-Federalists were opposed to the proposed Constitution because they feared it would restrict state power and individual rights. Among the most important of the Anti-Federalist writings are the essays of Brutus. Brutus's essays are generally attributed to Robert Yates, a New York delegate to the Constitutional Convention. In a letter addressed to the citizens of New York, Brutus articulated his concerns about the proposed constitution and his thoughts about why it should not be ratified.

- For a summary of key ideas in *Brutus 1*, watch the following Primary Source Essentials video:

<https://billofrightsinstitute.org/videos/brutus-1-bris-primary-source-essentials>

Text	Annotations
To the Citizens of the State of New-York. When the public is called to investigate and decide upon a question in which not only the present members of the community are deeply interested, but upon which the happiness and misery of generations yet unborn is in great measure suspended, the benevolent (good-natured) mind cannot help feeling itself peculiarly interested in the result . . .	
[T]he power in the federal legislative (Congress), to raise and support armies at pleasure, as well in peace as in war, and their controul over the militia, tend, not only to a consolidation (making stronger) of the government, but the destruction of liberty. . . .	

Text	Annotations
<p>[T]he legislature of the United States are <i>vested</i> with (given) the great and uncontrollable powers, of laying and collecting taxes, duties, imposts, and excises (forms of taxes). . . . And are by this clause invested with the power of making all laws, proper and necessary, for carrying all these into execution; and they may so exercise this power as entirely to annihilate (destroy or eliminate) all the state governments, and reduce this country to one single government. . . . [B]esides, it is a truth confirmed by the unerring experience of ages, that every man, and every body of men, invested with power, are ever disposed to increase it, and to acquire a superiority over every thing that stands in their way. This disposition (character trait), which is implanted (naturally a part of) in human nature, will operate in the federal legislature to lessen and ultimately to subvert (weaken) the state authority, and having such advantages, will most certainly succeed, if the federal government succeeds at all.</p>	
<p>Now, in a large extended country, it is impossible to have a representation, possessing the sentiments (thoughts), and of integrity, to declare the minds of the people, without having it so numerous and unwieldy, as to be subject in great measure to the inconveniency of a democratic government.</p> <p>The territory of the United States is of vast extent; it now contains near three millions of souls, and is capable of containing much more than ten times that number. Is it practicable for a country, so large and so numerous as they will soon become, to elect a representation, that will speak their sentiments, without their becoming so numerous as to be incapable of transacting public business? It certainly is not.</p>	
<p>In so extensive a republic, the great officers of government would soon become above the control of the people, and abuse their power to the purpose of aggrandizing (empowering) themselves, and oppressing them. . . . They will use the power, when they have acquired it, to the purposes of gratifying their own interest and ambition, and it is scarcely possible, in a very large republic, to call them to account for their misconduct, or to prevent their abuse of power.</p>	

Comprehension and Analysis Questions:

1. According to Brutus, why should the public focus so much attention on the proposed constitution?
2. What does Brutus say will result in the “destruction of liberty”?
3. What does Brutus believe will happen to state governments if the proposed constitution is adopted?
4. What are Brutus’s thoughts on human nature?

Comprehension and Analysis Questions (continued)

5. What are Brutus's concerns with representation under the proposed constitution?

6. What does Brutus predict will happen to the leaders of the new government?

7. Are Brutus's arguments against the Constitution convincing? Explain.

For a longer, annotated version of *Brutus* #1, click here: <https://billofrightsinstitute.org/activities/brutus-no-1-excerpts-annotated>

For more historical background on the ratification debate, click here:

<https://billofrightsinstitute.org/essays/the-ratification-debate-on-the-constitution>