

Antifederalist No. 28

The Use of Coercion by the New Government. (Part 3)

This essay was published in either the (Philadelphia) Freeman's Journal; or, The North-American Intelligencer, January 16, 1788.

The Congress under the new Constitution have the power "of organizing, arming and disciplining the militia, and of governing them when in the service of the United States, giving to the separate States the appointment of the officers and the authority of training the militia according to the discipline prescribed by Congress." Let us inquire why they have assumed this great power. Was it to strengthen the power which is now lodged in your hands, and relying upon you and you solely for aid and support to the civil power in the execution of all the laws of the new Congress? Is this probable? Does the complexion of this new plan countenance such a supposition? When they unprecedentedly claim the power of raising and supporting armies, do they tell you for what purposes they are to be raised? How they are to be employed? How many they are to consist of, and where to be stationed? Is this power fettered with any one of those restrictions, which will show they depend upon the militia, and not upon this infernal engine of oppression to execute their civil laws? The nature of the demand in itself contradicts such a supposition, and forces you to believe that it is for none of these causes -- but rather for the purpose of consolidating and finally destroying your strength, as your respective governments are to be destroyed. They well know the impolicy of putting or keeping arms in the hands of a nervous people, at a distance from the seat of a government, upon whom they mean to exercise the powers granted in that government. They have no idea of calling upon or trusting to the party aggrieved to support and enforce their own grievances, (notwithstanding they may select and subject them to as strict subordination as regular troops) unless they have a standing army to back and compel the execution of their orders. It is asserted by the most respectable writers upon government, that a well regulated militia, composed of the yeomanry of the country, have ever been considered as the bulwark of a free people. Tyrants have never placed any confidence on a militia composed of freemen. Experience has taught them that a standing body of regular forces, whenever they can be completely introduced, are always efficacious in enforcing their edicts, however arbitrary; and slaves by profession themselves, are "nothing loth" to break down the barriers of freedom with a gout. No, my fellow citizens, this plainly shows they do not mean to depend upon the citizens of the States alone to enforce their powers. They mean to lean upon something more substantial and summary. They have left the appointment of officers in the breasts of the several States; but this appears to me an insult rather than a privilege, for what avails this right if they at their pleasure may arm or disarm all or any part of the freemen of the United States, so that when their army is sufficiently numerous, they may put it out of the power of the freemen militia of America to assert and defend their liberties, however they might be encroached upon by Congress. Does any, after reading this provision for a regular standing army, suppose that they intended to apply to the militia in all cases, and to pay particular attention to making them the bulwark of this continent? And would they not be equal to such an undertaking? Are they not abundantly able to give security and stability to your government as

long as it is free? Are they not the only proper persons to do it? Are they not the most respectable body of yeomanry in that character upon earth? Have they not been engaged in some of the most brilliant actions in America, and more than once decided the fate of princes? In short, do they not preclude the necessity of any standing army whatsoever, unless in case of invasion? And in that case it would be time enough to raise them, for no free government under heaven, with a well disciplined militia, was ever yet subdued by mercenary troops.

The advocates at the present day, for a standing army in the new Congress, pretend it is necessary for the respectability of government. I defy them to produce an instance in any country, in the Old or New World, where they have not finally done away the liberties of the people. Every writer upon government -- Locke, Sidney, Hampden, and a list of others have uniformly asserted, that standing armies are a solecism in any government; that no nation ever supported them, that did not resort to, rely upon, and finally become a prey to them. No western historians have yet been hardy enough to advance principles that look a different way. What historians have asserted, all the Grecian republics have verified. They are brought up to obedience and unconditional submission; with arms in their bands, they are taught to feel the weight of rigid discipline; they are excluded from the enjoyments which liberty gives to its votaries; they, in consequence, hate and envy the rest of the community in which they are placed, and indulge a malignant pleasure in destroying those privileges to which they never can be admitted. "Without a standing army," (says the Marquis of Beccaria), in every society there is an effort constantly tending to confer on one part the height and to reduce the other to the extreme of weakness, and this is of itself sufficient to employ the people's attention." There is no instance of any government being reduced to a confirmed tyranny without military oppression. And the first policy of tyrants has been to annihilate all other means of national activity and defense, when they feared opposition, and to rely solely upon standing troops. Repeated were the trials, before the sovereigns of Europe dared to introduce them upon any pretext whatever; and the whole record of the transactions of mankind cannot furnish an instance, (unless the proposed constitution may be called part of that record) where the motives which caused that establishment were not completely disguised. Peisistratus in Greece, and Dionysius in Syracuse, Charles in France, and Henry in England, all cloaked their villainous intentions under an idea of raising a small body as a guard for their persons; and Spain could not succeed in the same nefarious plan, until thro' the influence of an ambitious priest (who have in all countries and in all ages, even at this day, encouraged and preached up arbitrary power) they obtained it. "Caesar, who first attacked the commonwealth with mines, very soon opened his batteries." Notwithstanding all these objections to this engine of oppression, which are made by the most experienced men, and confirmed by every country where the rays of freedom ever extended -- yet in America, which has hitherto been her favorite abode; in this civilized territory, where property is so valuable, and men are found with feelings that win not patiently submit to arbitrary control; in this western region, where, my fellow countrymen, it is confessedly proper that you should associate and dwell in society from choice and reflection, and not be kept together by force and fear -- you are modestly requested to engraft into the component parts of your constitution a Standing Army, without any qualifying restraints whatever, certainly to exist somewhere in the bowels of your country in time of peace. It is very true that Lawyer [James] Wilson -- member of the Federal Convention, and who we may suppose breathes in some measure the spirit of that body -- tells you it is for the purpose of forming cantonments upon your frontiers, and for the dignity and safety of your country, as it respects foreign nations. No man

that loves his country could object to their being raised for the first of these causes, but for the last it cannot be necessary. God has so separated us by an extensive ocean from the rest of mankind; he hath so liberally endowed us with privileges, and so abundantly taught us to esteem them precious, it would be impossible while we retain our integrity, and advert to first principles, for any nation whatever to subdue us. We have succeeded in our opposition to the most powerful people upon the globe; and the wound that America received in the struggle, where is it? As speedily healed as the track in the ocean is buried by the succeeding wave. It has scarcely stopped her progress, and our private dissensions only, at this moment, tarnish the luster of the most illustrious infant nation under heaven.

You cannot help suspecting this gentleman [James Wilson], when he goes on to tell you "that standing armies in time of peace have always been a topic of popular declamation, but Europe hath found them necessary to maintain the appearance of strength in a season of the most profound tranquility." This shows you his opinion -- and that he, as one of the Convention, was for unequivocally establishing them in time of peace; and to object to them, is a mere popular declamation. But I will not, my countrymen -- I cannot believe you to be of the same sentiment. Where is the standing army in the world that, like the musket they make use of, hath been in time of peace brightened and burnished for the sake only of maintaining an appearance of strength, without being put to a different use -- without having had pernicious influence upon the morals, the habits, and the sentiments of society, and finally, taking a chief part in executing its laws? . . .

If tyranny is at all feared, the tyranny of the many is to be guarded against MORE than that of a single person. The Athenians found by sad experience, that 30 tyrants were thirty times worse than one. A bad aristocracy is thirty times worse than a bad monarchy, allowing each to have a standing army as unrestricted as in the proposed constitution.

If the people are not in general disposed to execute the powers of government, it is time to suspect there is something wrong in that government; and rather than employ a standing army, they had better have another. For, in my humble opinion, it is yet much too early to set it down for a fact, that mankind cannot be governed but by force.