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Besides those inherent rights, which should be established as fundamental principles, independent of the constitution, there are certain other maxims essential to every free government. These should pervade the whole plan. They should be interwoven with its very texture. And, as it is necessary that the first should be preserved sacred and inviolate; so ought the last to be regarded as indispensable. These should be the leading properties, the head—the soul of the system; whilst those exist entire, supreme and uncontroled.

It will not be denied, that *all power is originally vested in the people, and that it should be exercised either immediately by themselves, or mediately by their representatives*. These are *maxims*, without the observance of which the liberty of every nation must expire. When the power is exercised by their representatives, it is expedient that the representation be *whole* and *complete*. It should be *ample*, that amongst the *members* there may be a competent knowledge of the *constituents*, their sentiments, connections, views and habits; and that amongst the *constituents* there may generally be a due degree of knowledge respecting the virtues and abilities of the *members*.

In extensive territories, where the people are widely dispersed, and individuals can have very little communication beyond the circle of their own neighbourhood, the representation should also be extensive. In countries thus situated, unless the legislature be numerous, there cannot be expected amongst the *members* thereof a general knowledge of their constituents: and when the *member* to be elected bears a very small proportion to the *number* of electors, it is utterly improbable that the *majority* should have an adequate knowledge of those, who will be elected. So that a great part of the community must in a manner be obliged to submit their most important concerns into the hands of a few persons unknown to themselves, and of whose wisdom, integrity and patriotism they can form no competent judgment.

Again, the representation should be *complete*, that is, it should be such as to comprehend every species of interest within the society. All orders of men, who have any permanent interest in the government, as far as practicable, ought to be represented. Regarding, then, the great diversity, which pervades most communities, from the highest funded concerns through the various stages of mercantile and mechanic interests, we must discover the necessity of an extensive delegation. When, therefore, the number of *representatives* in a legislature is very small, this affords objections, not only because they are not numerous enough to contain a competent knowledge of their constituents: they are inadequate to, and cannot sufficiently respect, all the complicated, variant and opposite interests, which must necessarily subsist in a commonwealth, whose inhabitants are spread over a wide-extended country. The smallness of their number enhances the dignity of their *seats*; and none can expect to obtain a *seat*, except men of the most elevated station. Thus in the beginning of a government so constituted there will be laid a foundation for the exercise of undue influence, whereby every branch of supreme power will be in a manner monopolized by

one set of men: and thus the delegation will become partial. For, besides the effect of this undue influence in elections, the dispersed situation of the electors, together with that of the candidates, will ever produce much division amongst the suffrages;—and so the select party, who will be distinguished by their superior wealth, being the leading *junto* in this business, will easily procure a competent number to decide for themselves or their favorites.

Thus it will generally happen, that elections will be determined, not by the majority of the people, but perhaps by an inconsiderable part of them; and the persons chosen will be such, whose situation and rank in life had removed them far from a knowledge of the *great body* of the people. They will consequently be unacquainted with the customs, feelings, opinions and wishes of most of their constituents; and as the constituents will be unacquainted with their representatives,—*these* will not possess the confidence of *those*. Doubt and distrust will prevail.—That course of congenial sentiment—that reciprocity of common interest between *legislature* and *bulk* of the nation, which should be the soul of *republicanism*, and are the chief objects of a free, unbiassed and general representation, will not exist in this kind of government. How, then, can it be expected that a strict regard to the *good* of all will mark the public proceedings? Who can really imagine that a *body*, thus constituted and thus invested with sovereign authority, will regularly devote their labors to promote the happiness, prosperity and freedom of a community, over whom they bear the rule—when they view themselves advanced to this state of exaltation—when this high degree of dignity will tempt them to look down with indifference, perhaps contempt, on the inhabitants of a spacious territory, as the subjects of their government—and when they contemplate these, as generally unconnected with themselves in all their most important concerns?—The uniform experience of ages operates against the idea. It may be dangerous to indulge in such a scheme of policy—lest its fairest prospects should prove visionary indeed!—lest in its exercise the directly contrary effects should be produced.

For the foregoing reasons, the legislative powers proposed to be granted according to the new system appear liable to material objections. For herein the number of representatives being too small to encourage the idea of a *full* or *complete* deputation, there is no prospect of securing a due regard to all the different interests necessarily arising amongst the numerous inhabitants of America, spread over a territory so extensive—so vast—so various in climate, products, habits and connections.

That part of the legislature, which is particularly denominated the *house of representatives*, is indeed the only popular branch; and although these officers are to be chosen by the immediate suffrages of the people, yet their dignity, being necessarily great in proportion as their number is small, fair and unbiassed elections are scarcely probable, if not impracticable.

In the appointment and constitution of the other branch, the *senate*, we have but the shade of a deputation from the people. The state-legislatures, it seems, are to elect this *body*. The objections, which apply to the *house of representatives*, hold more strongly with regard to this, in as much as longer continuance in office will be productive of more danger; and the mode of appointment, by rendering them more independent of the people, will preclude *these* from having any decisive influence on their conduct.

It is no argument in favor of the manner proposed, that it is the same, by which the members of the present Congress are chosen. The nature and end of the one being totally different from those of the other, if they be duly considered, it may, perhaps, be thought not inexpedient to vary the proceedings respecting them. The Congress under the present confederation are the deputies of sovereign states in the full exercise of independent government. These deputies are appointed by the legislatures thereof, not for the purpose of regulating the internal police of the states, but to superintend their general and foreign affairs so far as all the states are concerned in common. When, therefore, the legislature of any state is actually existing and in the exercise of their office, it seems not improper that such deputies should be appointed by them: for in strictness they appear to be the deputies of the legislature; and are to them immediately amenable. The proposed *senate* are to exercise a share of legislation in the general government, and to participate in the sovereignty of America. Thus circumstanced, they will know not any authority superior to that, whereof they themselves possess a part. They are intended, as such, to be a branch of the representation of the people. To the people they ought to be amenable: and by the people they ought to be chosen.

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