

AMERICAN IDEAS

Words and Documents that Shape America

美国思想荟萃

塑造美国的言论与文献

The Federalist Papers
(Introduction; Nos 1, 2, 10 & 51)



AMERICAN IDEAS

Words and Documents that Shape America

美国思想荟萃

塑造美国的言论与文獻

The Bedford Group
Executive: Kim D. C. Ho & Co.

AMERICAN IDEAS

Words and Documents that Shape America

美国思想荟萃

塑造美国的言论与文献

*Press and Cultural Section
American Embassy, Beijing*

Issue No.2 May, 1991

CONTENTS

目 录

The Federalist Papers: Introduction	1
联邦党人文集导言	
No. 1: The Advantages of Federal Union	2
第一号：联邦的优点	
No. 2: The American Nation as One	8
第二号：一个统一的美国	
No. 10: On Faction	14
第十号：派别问题	
No. 51: Separation of Power	22
第五十一号：分权制	

The Federalist Papers: Introduction

“PUBLIUS”

The Federalist papers, a series of eighty-five essays urging that the former colonies adopt the Constitution and become the United States of America, are the most consummate political prose produced in America. Signed “Publius” (the public), the essays were written by Alexander Hamilton (who wrote the majority of them), James Madison (who wrote about a third of the total), and John Jay (who wrote five). Published originally in New York newspapers, the essays were reprinted in numerous other American periodicals and gathered together as a book by Hamilton in 1788. They expound the principles underlying the Constitution and thus constitute its earliest and best commentary. As such, they have themselves taken on almost the character of an American state document, a kind of supplement to the Constitution, and have been cited repeatedly in Supreme Court decisions interpreting the Constitution.

联邦党人文集

导言

“普布利厄斯”

《联邦党人文集》共有八十五篇论文，是美国无与伦比的政论文章，旨在敦促一些前殖民地接纳《宪法》并加入美利坚合众国。文章全都署名“普布利厄斯”（意为“公众”），实际执笔的是亚历山大·汉密尔顿（他撰写其中的大多数）、詹姆斯·麦迪逊（他撰写了全部文章三分之一左右）和约翰·杰伊（他撰写五篇）。这些文章原载于纽约各报章，后来又再刊登在其它许多美国期刊上，并于一七八八年由汉密尔顿将之辑成书。文章阐释了构成美国宪法的基本原则，从而也就成为宪法最早的也是最精辟的注释。因此，它们本身也就几乎具有美国国家文献的性质，成为宪法的一种增补文件，并在最高法院裁决案件时一再被援引来解释宪法。

No. 1: The Advantages of Federal Union

AFTER an unequivocal experience of the inefficacy of the subsisting federal government, you are called upon to deliberate on a new Constitution for the United States of America. The subject speaks its own importance; comprehending in its consequences nothing less than the existence of the UNION, the safety and welfare of the parts of which it is composed, the fate of an empire in many respects the most interesting in the world. It has been frequently remarked that it seems to have been reserved to the people of this country, by their conduct and example, to decide the important question, whether societies of men are really capable or not of establishing good government from reflection and choice, or whether they are forever destined to depend for their political constitutions on accident and force. If there be any truth in the remark, the crisis at which we are arrived may with propriety be regarded as the era in which that decision is to be made; and a wrong election of the part we shall act may, in this view, deserve to be considered as the general misfortune of mankind.

This idea will add the inducements of philanthropy to those of patriotism, to heighten the solicitude which all considerate and good men must feel for the event. Happy will it be if our choice should be directed by a judicious estimate of our true interests, unperplexed and unbiased by considerations not connected with the public good. But this is a thing more ardently to be wished

第一号：联邦的优点

我们都清清楚楚地领略过这个徒具虚名的邦联政府的无能，因此，我吁请大家考虑为美利坚合众国制订一部新宪法。这件事的重要性是不言而喻的；就其意义而言，它无疑牵涉到联邦的生存，联邦各成员的安全和利益，一个帝国的命运

从许多方面来讲，它已成为世界上最令人瞩目的事。人们经常说，人类是否真的能够通过思考和选择来建立健全的政府，或者是否永远注定要凭借偶发事件和武力才能形成自己的政体。这个重要问题似乎必须留给这个国家的人民通过实际行动和榜样来决定。假若这种说法含有什么真理的话，那么，就应把我们当前面临的危机看作是当机立断的时代业已到来。以此观之，如果我们对自己要扮演的角色选择不当，则应被视作是人类的普遍不幸。

有了这种思想，会使人们在具备爱国主义意识之外，增添慈善的情怀，致令所有关怀这桩大事的审慎善良的人必然怀有的热切之情更形高涨。如果指引我们的选择的，是对我们的真正利益的明智估计，并且不受与公共利益无关的各种想法干扰，不因这些想法而偏离正轨，那就最好了。但与其

than seriously to be expected. The plan offered to our deliberations affects too many particular interests, innovates upon too many local institutions, not to involve in its discussion a variety of objects foreign to its merits, and of views, passions, and prejudices little favorable to the discovery of truth.

Among the most formidable of the obstacles which the new Constitution will have to encounter may readily be distinguished the obvious interest of a certain class of men in every State to resist all changes which may hazard a diminution of the power, emolument, and consequence of the offices they hold under the State establishments; and the perverted ambition of another class of men, who will either hope to aggrandize themselves by the confusions of their country, or will flatter themselves with fairer prospects of elevation from the subdivision of the empire into several partial confederacies than from its union under one government.

It is not, however, my design to dwell upon observations of this nature. I am well aware that it would be disingenuous to resolve indiscriminately the opposition of any set of men (merely because their situations might subject them to suspicion) into interested or ambitious views. Candor will oblige us to admit that even such men may be actuated by upright intentions; and it cannot be doubted that much of the opposition which has made its appearance, or may hereafter make its appearance, will spring from sources, blameless at least if not respectable — the honest errors of minds led astray by preconceived jealousies and fears. So numerous indeed and so powerful are the causes which serve to give a false bias to the judgment, that we, upon many occasions, see wise and good men on the wrong as well as on the right side of questions of the first magnitude to society. This circumstance, if duly attended to, would furnish a lesson of moderation

说这是我们认真期待出现的情况，还不如说是我们热烈希望出现的情况。这份提供我们认真考虑的计划影响到太多的具体利益，牵涉到太多地方机构的改革，遑论在讨论这个计划时所涉及的与计划本身价值无关的各种事物，以及对真理的发现没有多大好处的各种观点、情绪和偏见。

新宪法必将面临许多最难克服的障碍，其中一眼就能看清的是，每个州均有某个阶级的人，出于明显的利益要抗拒所有的改革，因为这些改革可能使他们在州政府中的职务的权柄、薪俸和影响力遭受削减的危险。同样一眼就能看清的是，另一个阶级的人怀着邪恶的野心，希望趁国家混乱大捞一把，或者不愿这个帝国团结在一个政府之下，宁愿让它分裂成若干小帮派，以便自己向上爬，享有更加美好的前途而沾沾自喜。

然而，我的本意不是要详细探讨这类问题。我十分明白，不分青红皂白地把任何一类人的反对（只不过因为他们的处境可能引起人们的怀疑）归结为维护本身利益或抱有野心勃勃的意图，那是不诚实的。我们不得不坦率地承认，即使是这样的人，其行为也可能出自正直的用心；毋庸置疑，已经出现的反对意见，或者今后可能出现的反对意见，多数都出自种种即使不值得尊敬却也不宜苛责的原因，那就是人们的思想被先入为主的忌妒和恐惧所误导，以致犯了诚实人的错误。的确，促使人们在判断时怀有错误偏见的原因实在太多，太强有力了，以致我们时常发现，在最重要的社会问题上，有些睿智善良的人支持其正确的一面，也有的支持其错误的一面。这种情况只要处理得当，对于那些老是自以为在任何

to those who are ever so thoroughly persuaded of their being in the right in any controversy. And a further reason for caution, in this respect, might be drawn from the reflection that we are not always sure that those who advocate the truth are influenced by purer principles than their antagonists. Ambition, avarice, personal animosity, party opposition, and many other motives not more laudable than these, are apt to operate as well upon those who support as those who oppose the right side of a question. Were there not even these inducements to moderation, nothing could be more ill-judged than that intolerant spirit which has at all times characterized political parties. For in politics, as in religion, it is equally absurd to aim at making proselytes by fire and sword. Heresies in either can rarely be cured by persecution.

And yet, however just these sentiments will be allowed to be, we have already sufficient indications that it will happen in this as in all former cases of great national discussion. A torrent of angry and malignant passions will be let loose. To judge from the conduct of the opposite parties, we shall be led to conclude that they will mutually hope to evince the justness of their opinions, and to increase the number of their converts by the loudness of their declamations and by the bitterness of their invectives. An enlightened zeal for the energy and efficiency of government will be stigmatized as the offspring of a temper fond of despotic power and hostile to the principles of liberty. An over-scrupulous jealousy of danger to the rights of the people, which is more commonly the fault of the head than of the heart, will be represented as mere pretense and artifice, the stale bait for popularity at the expense of public good. It will be forgotten, on the one hand, that jealousy is the usual concomitant of violent love, and that the noble enthusiasm of liberty is too apt to be infected with a spirit of narrow and illiberal distrust. On the other hand, it

争论中都一贯正确的人来说，未必不可以提供处事持平的教益。就这一点而言，另一个应从反思中引起警惕的理由是，我们不能老是肯定，鼓吹真理的人所信奉的原则一定比他们的敌对者信奉的原则更加纯洁。野心、贪念、个人仇恨、党派敌对以及其它许多没有如此昭彰的动机，多半都会对支持事物的正确方面的人产生影响，同样也会对反对的人产生影响。假如连这类处事持平的念头都没有，那就没有比政党一向独有的偏狭心态更为误事的了。因为搞政治犹如信教一样，想靠火与剑来改变人们的信仰实属无稽之谈。政治领域也好，宗教领域也好，靠迫害是很少治得了异端邪说的。

但是，不管这种见解多么公正，我们已经看到充分的迹象，可以断定犹如过往所有大规模的全国性讨论一样，这次讨论中也将出现这种情况。愤怒怨恨的洪流将会奔腾起来。从各反对党的行动来判断，我们势必会得出这样的结论：他们彼此都希望依仗提高争辩的嗓门和诽谤的尖酸刻薄，来表明自己意见的公正性，并扩大那些改换门庭依附自己的人的队伍。为提高政府的能力和效益而焕发出来的热情，将被诬蔑为崇尚专制权力和敌视自由原则的倾向的产物。对危害人民权利的言行嫉恶如仇（这通常是头脑的缺陷，而不是心脏的缺陷），将被说成纯属矫揉造作和耍弄手腕，是不惜牺牲公众利益以图沽名钓誉的陈腐钓饵。一方面，人们忘记了，嫉恶与强烈的爱通常是如影随形的，而争取自由的崇高热忱，是不会沾染狭隘偏窄的猜疑的。另一方面，人们同样忘记了，

will be equally forgotten that the vigor of government is essential to the security of liberty; that, in the contemplation of a sound and well-informed judgment, their interests can never be separated; and that a dangerous ambition more often lurks behind the specious mask of zeal for the rights of the people than under the forbidding appearance of zeal for the firmness and efficiency of government. History will teach us that the former has been found a much more certain road to the introduction of despotism than the latter, and that of those men who have overturned the liberties of republics, the greatest number have begun their career by paying an obsequious court to the people, commencing demagogues and ending tyrants.

In the course of the preceding observations, I have had an eye, my fellow-citizens, to putting you upon your guard against all attempts, from whatever quarter, to influence your decision in a matter of the utmost moment to your welfare by any impressions other than those which may result from the evidence of truth. You will, no doubt, at the same time have collected from the general scope of them that they proceed from a source not unfriendly to the new Constitution. Yes, my countrymen, I own to you that after having given it an attentive consideration, I am clearly of opinion it is your interest to adopt it. I am convinced that this is the safest course for your liberty, your dignity, and your happiness. I affect not reserves which I do not feel. I will not amuse you with an appearance of deliberation when I have decided. I frankly acknowledge to you my convictions, and I will freely lay before you the reasons on which they are founded. The consciousness of good intentions disdains ambiguity. I shall not, however, multiply professions on this head. My motives must remain in the depository of my own breast. My arguments will be open to all and may be judged of by all. They shall at least be offered in a spirit which will not disgrace the cause

政府的魄力对维护自由是至关重要的；在考虑作出有根有据的正确判断时，他们的利益是永远不可割裂的；而且，危险的野心并非时常以主张坚决有效地管治的严峻面孔示人，而是更多时候隐藏在维护人民权利的美丽面具后面。历史教导我们，以引进专制主义而论，后者已被证实是一条比前者可靠得多的途径，而且，在那些颠覆共和国的自由的人当中，绝大多数是从巴结人民、蛊惑人心和结束暴君统治而起家的。

同胞们，我在作上面这番论述的过程中，一直留意你们，务使你们有所警觉，反对有人企图以不符事实真相的印象，来影响你们对一件与自己切身利益关系重大的事情所作的决定，不管这些企图来自何方，都要加意防范。与此同时，你们无疑已从以上论述的大意体会到，这番话乃出自与新宪法为善的本意。是的，同胞们，我谨向你们承认，我对新宪法反覆思考一番之后，明确无误地认为，采纳新宪法是符合你们的利益的。我深信，这是维护你们的自由、尊严和幸福的最可靠的途径。我无须隐讳，因为我无可隐讳。当我已作出决定时，我不会假装正在深入思考，以便取悦你们。我坦率地向你们承认我的信念，而且我将毫无保留地向你们摆明我的信念所根据的各项理由。我自问存心善良，自然用不着含糊其词。然而，我不会在这个问题上多加表白。我的动机必须存留在我的胸廓之中。我的论点将向所有人敞开，并接受所有人的评判。这些论点起码应该本着一种精神——不致辱

of truth.

I propose, in a series of papers, to discuss the following interesting particulars: — *The utility of the UNION to your political prosperity* — *The insufficiency of the present Confederation to preserve that Union* — *The necessity of a government at least equally energetic with the one proposed, to the attainment of this object* — *The conformity of the proposed Constitution to the true principles of republican government* — *Its analogy to your own State constitution* — and lastly, *The additional security which its adoption will afford to the preservation of that species of government, to liberty, and to property.*

In the progress of this discussion I shall endeavor to give a satisfactory answer to all the objections which shall have made their appearance, that may seem to have any claim to your attention.

It may perhaps be thought superfluous to offer arguments to prove the utility of the UNION, a point, no doubt, deeply engraved on the hearts of the great body of the people in every State, and one which, it may be imagined, has no adversaries. But the fact is that we already hear it whispered in the private circles of those who oppose the new Constitution, that the thirteen States are of too great extent for any general system, and that we must of necessity resort to separate confederacies of distinct portions of the whole.* This doctrine will, in all probability, be gradually propagated, till it has votaries enough to countenance an open avowal of it. For nothing can be more evident to those who are able to take an enlarged view of the subject than the alternative of an adoption of the new Constitution or a dismemberment of the Union. It will therefore be of use to begin by examining the

*The same idea, tracing the arguments to their consequences, is held out in several of the late publications against the new Constitution.

没真理事业的精神——提出来。

我打算通过一系列文章讨论下列一些有趣的问题：——联邦对你的政治前途有何作用——当前的邦联政府对维持联邦体制已起不了什么作用——为了达到这个目标，需要有一个起码一如建议的政府那样精力充沛的政府——拟就的《宪法》与共和政府的真正原则的一致性——它与你们自己州的宪法的相似之处——最后一个是，采纳宪法将为维护那种政府、自由和财产带来额外的安全。

在这一讨论的进程中，我将尽量对提出来而又受到你们重视的反对意见给予满意的答复。

也许有人会认为，提出一些论点来证明联邦的作用是多此一举，因为这个问题无疑已深深铭刻在各州广大人民的心上，而且可以想象，不会有人反对它的。但事实是，在反对新宪法的人圈子里，我们已听到有人在背地里窃窃私语，说什么十三个州幅员过于辽阔，不宜采用任何通用的制度，还说什么，我们有必要搞各自独立的邦联，把这个整体分成各不相同的部分*。这种主张很可能会逐渐传播开去，终至有朝一日，追随者人多势众，便会明目张胆地宣扬这种主张。凡是能够以长远的眼光看待新宪法的人都看得出，不采纳新宪法，联邦便会四分五裂，这是再清楚不过的了。所以，一

* 近期的若干刊物上曾提出由论据到结论尽皆相同的主张来反对新宪法。