

Federalists, Anti Federalists and The Ratification of the Constitution.

The Founding Paradox

- Hard Lessons of the Articles of Confederations led to the Constitutional Convention and the Great Compromise
 - Create a Stronger National Government
 - Resolve Problems of Interstate Coordination and Interstate Conflict
- Limit the Power of a More Powerful National Government
 - Prevent the Emergence of a Monarchy/Aristocracy
 - Prevent Mob Rule and the Tyranny of the Majority
 - Prevent the Competition and Rule of Vicious Factions

Solutions Embedded in Constitutional Design

- Federalism
 - Shared Power between Autonomous State and National Government.
 - Madison's Size Principle: Large and Diverse Government prevents any local majority from dominating politics.
 - Diverse Interests and Perspectives Built into National Government. Creates Natural Check of Federal Power.
- Separation of Powers: Sharing of Power and Division of Authority Across Branches of Government
 - Staggered Elections and Tenure
 - Checks and Balances
- Individual Bill of Rights. Guarantees Rights of Individuals and States from Arbitrary Government Power

The Logic of the Separation of Powers

- The Principle of the Separation of Powers
 - Effort to "Check Excessive Democracy"
 - Distribute Power and Authority Broadly to Prevent the Concentration of Political Power
- Divide Power Across Three Branches of Government
- Prevent the Unification of the Three Branches
 - Stagger Selection, Tenure and Election of Members of Government
 - Provide Checks and Balances of Each Branch of Government

The Ratification of the Constitution

- 9 of 13 States Must Approve the Constitution
- Sent to the States In 1787
- Debate over Ratification Erupts between the Federalists and the Anti-Federalists
 - Debate over Power of National Government and the States,
 - Debates over the Logic of Representation
 - Debates of Sources of Tyranny and..
 - Threats to Individual and Collective Freedom,

The Federalists and Anti-Federalists Background and Philosophy

Federalists

- Property Owners, Creditors, Merchants
- Nationalists: Strong Center Government
- Favor Rule of Elite, fear tyranny of the Majority and excessive democracy
- Separation of Powers

Anti Federalists

- Small Farmers, Debtors, Shopkeepers
- State's Rights: Weak Center Government
- Favor Direct link between Government and people. Fear Tyranny of the minority
- Bill of Rights

Federalists and Anti-Federalist Debates: Model of Representation

Federalists

- Trustee Representation
- Politicians use discretion
- Focus on policy and national welfare rather than popular pressure.
- Large Districts
- Staggered Elections to Avoid Unification of Branches

Anti-Federalists

- Delegate Representation
- Support Pure Democracy
- Small Homogenous Government
- "A true picture of the people"
- Responsive to popular pressure
- Fear Arbitrary Power of Center Government

Threats of Tyranny

Federalists

- Fear Majority Tyranny ruling through legislature
- Concerned over property rights
- Favor Separation of Powers and insulation of government from mob rule.

Anti-Federalists

- Fear all Branches (Tyranny of Minority)
- Especially Executive Branch
- Favor Responsive directly accountable legislature.
- Separation of Powers tool of elite

Governmental Power

Federalists

- Strong Active Federal Government
- Authority to coordinate and solve persistent problems (trade, defense, etc.)
- Checks and Balances prevent arbitrary power and majority rule.

Anti-Federalists

- Weak, Limited Center Gov
- Suspicious of Federal government providing for general welfare through "civic virtue."
- Fear Concentration of Power in President and national government

Individual Rights and the Bill of Rights

Federalists

- Bill of Rights are Superfluous or even problematic
- Listing Express rights implies anything left out not a right
- Real threats are Tyranny of Majority, which there system will prevent

Anti-Federalists

- Must Ensure individual freedom from Arbitrary Power.
- Check Tyranny of Minority
- Protect the rights of States and Individuals Expressly.

Summary of Federalist/Anti Federalist debate

- Anti-Federalist Concern over Bill of Rights gains traction.
- Federalists compromise. Promise to enact a Bill of Rights as first ten amendments.
- Ratification occurs in 1788 when New Hampshire approves constitution.
- With the exception of the Bill of Rights, the Federalist vision of Government Prevails.
