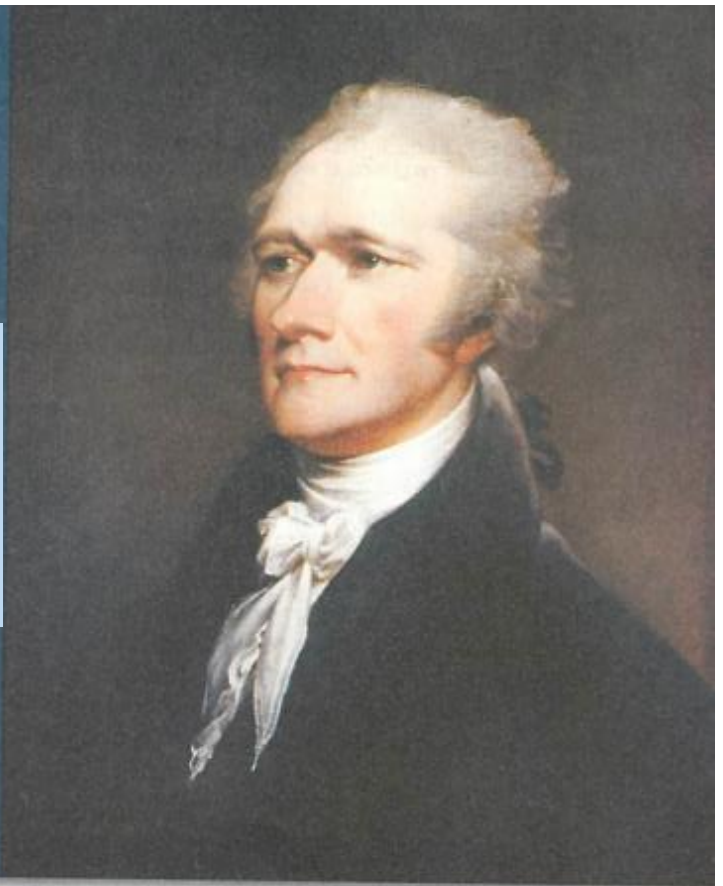


WHAT WAS THE FEDERALIST POSITION IN THE DEBATE ABOUT RATIFICATION?



LESSON PURPOSE

The people who supported ratification of the Constitution, which created a stronger national government, called themselves Federalists. This lesson describes the arguments and the strategies that the Federalists used to win support for the Constitution.

When you have finished this lesson, you should be able to explain the key arguments of the Federalists and the process by which the Constitution was finally ratified. You also should be able to evaluate, take, and defend positions on the continuing relevance and validity of the Federalists' arguments.

TERMS AND CONCEPTS TO UNDERSTAND

faction

Federalists

The Federalist

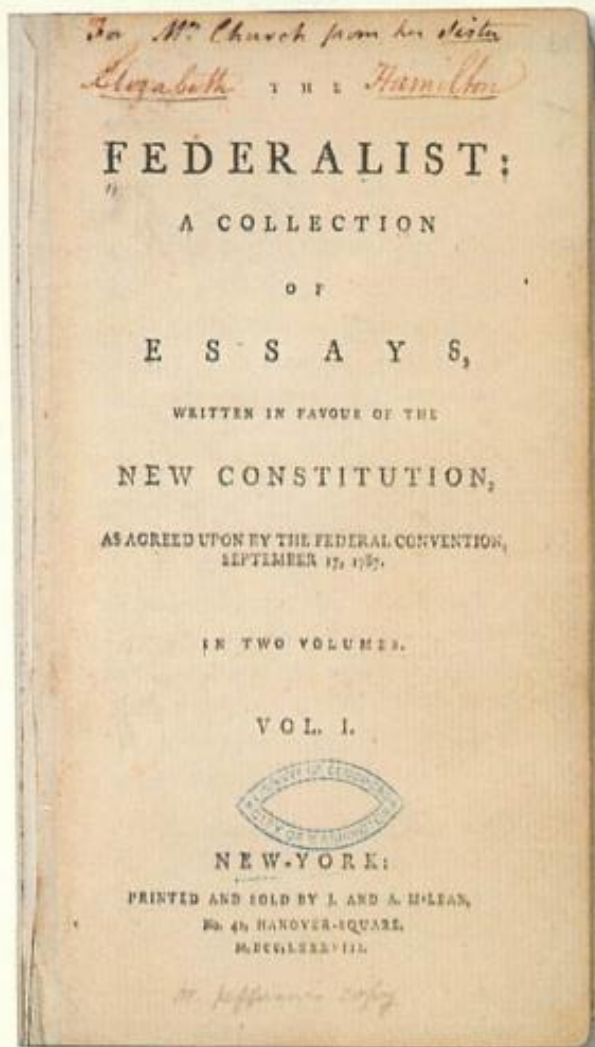
majority tyranny

"new science of politics"

WHAT STRATEGIES DID FEDERALISTS USE IN THE STRUGGLE FOR RATIFICATION?

Once the Philadelphia delegates agreed on their strategy to use state ratifying conventions, supporters of the Constitution, known as **Federalists**, encouraged their associates in the states to organize as quickly as possible. They knew that the Anti-Federalists had not had enough time to organize their opposition. They believed that if the state conventions acted quickly, then the Anti-Federalists would have little time to oppose ratification.

In Pennsylvania, for example, Federalists knew that significant opposition in the western part of the state might defeat the Constitution. They scheduled the ratifying convention for early December 1787 in Philadelphia, too quickly for westerners to organize or to send many delegates. As a result, many Pennsylvania Anti-Federalists believed that their state had illegitimately ratified the Constitution. Anti-Federalists in New York, Virginia, and Massachusetts would not be defeated so easily.



The ratification debates in the states lasted ten months. It was an intense and sometimes bitter political struggle, especially in New York. To help the Federalist cause, three men—Alexander Hamilton, James Madison, and John Jay—published a series of essays in three New York newspapers under the pseudonym Publius (in honor of Brutus's friend, the Roman consul Publius Valerius Publicola, whose surname means "friend of the people"). These essays also were used in the contentious Virginia ratification debates and are an important source of information about the conflict over the Constitution. The essays were not intended to be objective. Their purpose was to rebut Anti-Federalist arguments and to convince people to support ratification. Historians and legal scholars consider these essays, now collectively called *The Federalist*, to be the most important work written to defend the new Constitution.

The writers of *The Federalist* were skilled at using basic ideas about government that most Americans understood and accepted. They presented the Constitution as a well-organized, agreed-on plan for national government. They did not stress the conflicts and compromises that had taken place during its development. Instead, they argued that the Constitution reflected a "new science of politics" that made the Anti-Federalist critique obsolete.

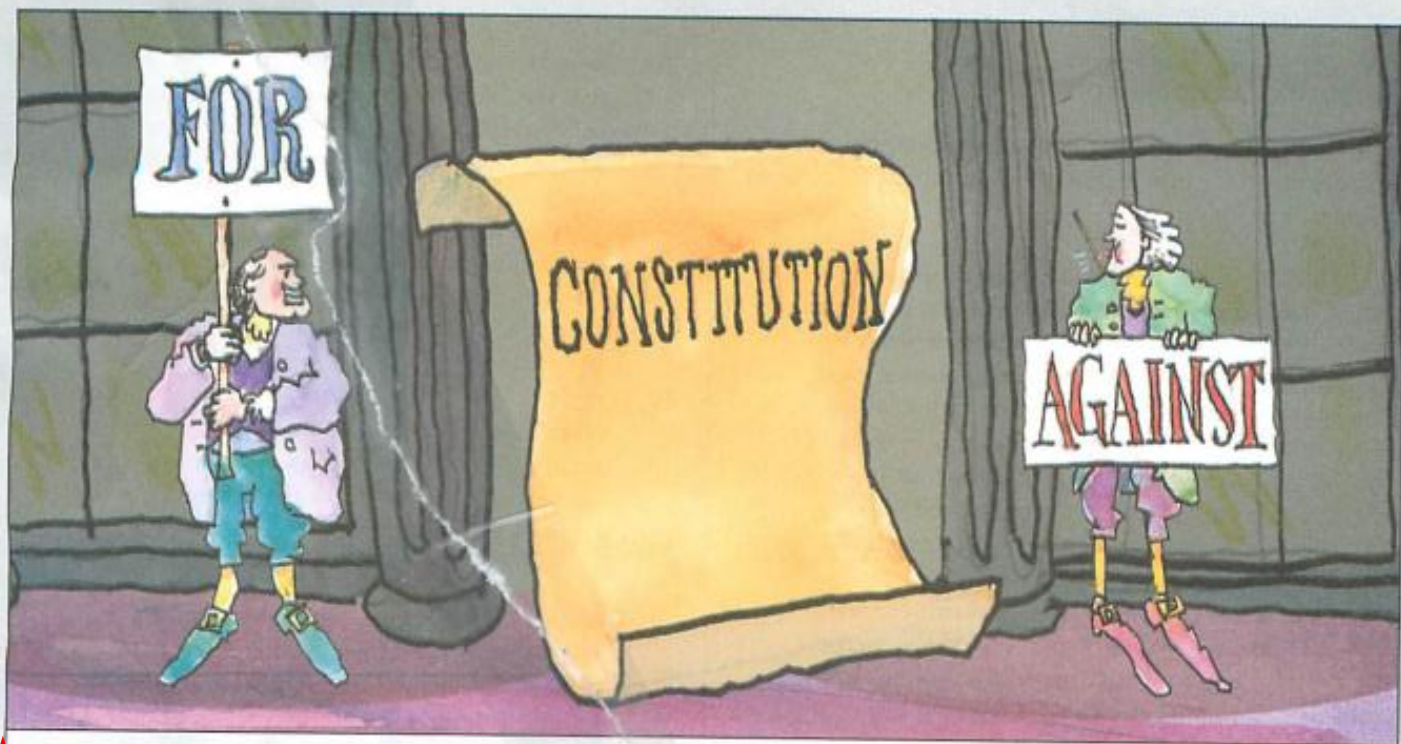
HOW DID THE FEDERALISTS RESPOND TO THE ANTI-FEDERALISTS' FEARS ABOUT A LARGE REPUBLIC?

Most Americans probably agreed with the main Anti-Federalist argument that a republican government could not be sustained over a large and diverse nation. This argument had support in well-known political theory going back to Aristotle. History supported it as well. No republic had ever survived when the nation grew large. The transformation of ancient Rome from a republic into a monarchical empire seemed like a lesson in the way large republics collapse.

To solve the problem of republican government in a nation as geographically vast and culturally and economically heterogeneous as the United States, the Federalists needed a new political theory. James Madison expressed one most clearly in the tenth *Federalist* essay, which responded to Robert Yates's first Brutus essay.

In *Federalist* 10 Madison turned classical republican arguments upside down. He began with a central premise that **faction** posed the greatest danger to governments of the people. By *faction* Madison meant any group, majority or minority, within a society that promoted its own self-interest at the expense of the common good. He did not define the common good or explain who decided what the common good was.

★ What was the purpose of the essays contained in *The Federalist*?



★ What were some of the main arguments for and against the ratification of the Constitution?

- If a faction consisted of a minority, a democracy worked well because the majority could outvote the faction.
- But if the faction consisted of a majority, then the risk of **majority tyranny** arose. Democracy would fail the common good. A republic, in which citizens elected representatives to tend to the people's business, might work better.
- However, in a small, homogeneous republic—the type of society that classical republicanism prescribed—majority tyranny also could arise. Because people were relatively similar in occupations, habits, and manners, there would probably be no more than two sets of ideas on any question. If those opposed to the common good commanded a majority and the representatives simply reflected their constituents' views, then the outcome would still defeat the common good and the people's rights.

Madison next explained the benefits of a large, diverse republic. Such a nation was likely to have so many different factions that none would be able to command a majority. Moreover, in a large nation there were likely to be more “fit characters” for leadership—in other words, more eminent citizens able to see the common good. Unlike Anti-Federalists, who argued that good representatives *reflected* constituents' views and

characteristics, Madison and many other Federalists argued that good representatives “enlarged” or “refined” the public's views by *filtering* out ideas that were based solely on self-interest. A large, diverse republic would therefore defeat the dangers of faction. No single faction would emerge supreme, and elected representatives would be most likely to see beyond the narrow views of ordinary citizens.

CRITICAL THINKING EXERCISE

Examining the Modern Relevance of Federalist 10

Madison wrote Federalist 10 at a time when people in geographically distant states, for example, Georgia and Massachusetts, were unlikely to know one another or one another's “passions and interests.” Today modern technologies enable people in distant regions to know and communicate with one another. Working in small groups, respond to the following questions:

- ★ ① Do modern communications technologies promote the formation of “majority factions” in America today? Why or why not?
- ★ ② Have modern communications technologies contributed to a country that is at least as factional as Madison observed in 1787? Why or why not?
- ★ ③ How relevant do you think Madison's argument in Federalist 10 remains today?

WHAT WERE THE FEDERALISTS' CENTRAL ARGUMENTS?

The following chain of arguments helped the Federalists convince a substantial number of people to support ratification:

- 1 **Civic virtue can no longer be relied on as the sole support of a government that can protect people's rights and promote their welfare**
Throughout history, the Federalists argued, the greatest dangers to the common good and the natural rights of citizens in republics had been from the pursuit of selfish interests by groups of citizens who ignored the common good. Consequently for almost two thousand years political philosophers had insisted that republican government was safe only if citizens possessed civic virtue. By civic virtue they meant that citizens had to be willing to set aside their own interests in favor of the common good.

Recent experiences with their state governments had led a number of people, including many delegates at the Philadelphia Convention, to doubt that they could rely on civic virtue to promote the common good and to protect the rights of individuals. Many of the state legislatures had passed laws that helped people in debt at the expense of those to whom they owed money. Creditors and others saw these laws as infringing on property rights, which were one of the basic natural rights for which the Revolution had been fought.

The national government created by the Constitution does not rely solely on civic virtue to protect rights and promote the common welfare. Federalists argued that it is unrealistic to expect people in a large and diverse nation, living hundreds of miles apart, to sacrifice their own interests for the benefit of others. At the same time the size and distance of the nation serve as a check on any single interest. So many interests and factions would be represented in the national government that it would be unlikely that any one of them would dominate.

- 2 **The way the Constitution organizes the government, including the separation of powers and checks and balances, is the best way to promote the goals of republicanism**
The Federalists argued that the rights and welfare of all are protected by the complicated system of representation, separation of

powers, checks and balances, and federalism that the Constitution created. They also believed that the method of electing senators and presidents would increase the probability that these officials would possess the qualities required for good government. By *filtering* the people's votes through state legislatures (for senators) and the Electoral College (for the president) the Constitution would help to ensure that the most capable people were elected. The Federalists also argued that this complicated system would make it impossible for any individual or faction—even a majority faction—to take control of the government to serve its own interests at the expense of the common good or the rights of individuals.

Madison rejected the argument that the system was so complicated that it would be difficult to get anything done. One of his criticisms of the state legislatures was that they passed too many laws. Most of the Federalists believed that the best way to prevent a bad law from being passed was to prevent a law from being passed at all.

- 3 **The representation of different interests in the government will protect basic rights**

The branches of the national government, the power that the Constitution distributes to each, and the interests each is supposed to represent are as follows:

- **Legislative branch** The House of Representatives protects the people's local interests because representatives are chosen from small congressional districts. The Senate protects the people's state interests because senators are elected by state legislatures.
- **Executive branch** The president safeguards the national interests because electors choose him from among leaders who have achieved national prominence.
- **Judicial branch** The Supreme Court ensures good judgment in the national government because it is independent of political manipulation and therefore responsible only to the Constitution.

To counter Anti-Federalists' demand for a bill of rights, Federalists employed a number of arguments, described by Alexander Hamilton in Federalist 84. Among other things, Hamilton, who later would become the first U.S. secretary of the Treasury, argued



★ What arguments did Alexander Hamilton make against adding a bill of rights to the Constitution?

that the Constitution allowed the national government to exercise only enumerated powers. Nothing gave the national government authority over individuals. Adding a bill of rights would imply that the national government had powers that the Constitution did not give it. Hamilton also claimed that a bill of rights is unnecessary in a nation with popular sovereignty. Previous bills of rights, such as the English Bill of Rights, protected people from a monarch over whom they had no control. Under the U.S. Constitution the people can remove elected officials who abuse their power.

WHAT DO YOU THINK?

- ★ ❶ Why did the Federalists believe that they could not rely solely on civic virtue to make the new nation work properly? Do you agree? Why or why not?
- ★ ❷ How would Anti-Federalists (discussed in Lesson 13) respond to each aspect of the Federalists' philosophy and defense of the Constitution?
- ★ ❸ Is a good representative one who reflects and directly states his or her constituents' views and characteristics or one who enlarges those views in pursuit of a greater, common good? Explain your response.

HOW DID RATIFICATION SUCCEED?

The Federalists worked hard to overcome Anti-Federalist objections. By June 1788 nine states had voted to ratify the Constitution, enough for it to take effect. But neither New York nor Virginia had ratified. Without them the United States could not survive as a nation. New York and Virginia each had a large population, both were wealthy states, and each occupied a key geographical position. Without either state the nation would be split in two. Moreover, New York was America's primary commercial hub.

Finally a compromise was reached. To get some Anti-Federalists to support the Constitution, or at least to abstain from voting in the state ratifying conventions, the Federalists struck a deal. When the first Congress was held, Federalists would support adding a bill of rights to the Constitution. This agreement reduced support for the Anti-Federalists and deprived them of their most powerful argument against the Constitution.

At that point Anti-Federalist opposition seemed futile, and Virginia ratified the Constitution on June 26, 1788, by an 89 to 79 vote. New York's debate ground on for another month, but ultimately enough Anti-Federalists abstained for the Constitution to be ratified by a vote of 30 to 27.

Ratification by eleven states still did not end the debate, because North Carolina and Rhode Island refused to approve the Constitution. North Carolina had called a ratifying convention that adjourned without voting. Rhode Island sent the Constitution to town meetings across the state, where it was overwhelmingly rejected. Once the first Congress proposed the ten amendments that became the Bill of Rights, North Carolina ratified the Constitution. Finally, on May 29, 1790, Rhode Island was forced to ratify when its largest city, Providence, threatened to leave the state to join the union and after the United States' first president, George Washington, inaugurated slightly more than a year earlier, had threatened Rhode Island with commercial restrictions as if the state were a foreign country.

WHAT DO YOU THINK?

- ★ 1 Explain the Federalists' argument that the Constitution did not need a bill of rights. Do you agree with their position? Why or why not?
- ★ 2 Why do you think the delegates in Philadelphia protected some rights in the body of the Constitution but not other rights?

- ★ 3 What do you think were the most important reasons put forth by the Federalists to support the Constitution? What do you think were the least important reasons?

REVIEWING AND USING THE LESSON

- ★ 1 What strategies did Federalists employ to win the struggle for ratification of the Constitution?
- ★ 2 What is *The Federalist*? How and why was it written?
- ★ 3 What arguments did Federalists make to support the ratification of the Constitution?
- ★ 4 What arguments did Federalists make to resist the demand for a bill of rights? Why did they eventually give in to this demand?



- ★ Why did Providence, Rhode Island, threaten to leave the state and join the Union?