

NAME _____

Focus on Freedom

THE FEDERALIST, NO. 10

James Madison wrote several articles supporting ratification of the Constitution for a New York newspaper. In the excerpt below Madison argues for the idea of a federal republic.

By a faction, I understand a number of citizens . . . who are united and actuated by some common impulse . . . adverse to the rights of other citizens. . . .

The inference to which we are brought is that the *causes* of faction cannot be removed and that relief is only to be sought in the means of controlling its *effects*. . . .

A republic, by which I mean a government in which the scheme of representation takes place . . . promises the cure for which we are seeking. . . .

The two great points of difference between a democracy and a republic are: first, the delegation of the government, in the latter, to a small number of citizens elected by the rest; secondly, the greater number of citizens, and greater sphere of country, over which the latter may be extended.

The effect of the first difference is . . . to refine and enlarge the public views by passing them through the medium of a chosen body of citizens, whose wisdom may best discern the true interest of their country, and whose patriotism and love of justice will be least likely to sacrifice it to temporary or partial considerations. . . .

—THE FEDERALIST, No. 10
JAMES MADISON

The debate over ratification aroused strong feelings. Patrick Henry challenged the Framers' use of "We the People," instead of "We the States."

And here I would make this inquiry of those worthy characters who composed a part of the late federal Convention. I am sure they were fully

impressed with the necessity of forming a great consolidated government instead of a confederation. . . . and the danger of such a government is, to my mind, very striking . . . Who authorized them to speak the language of "We, the people," instead of, "We, the states"? . . . If the states be not the agents of this compact, it must be one great, consolidated, national government of the people of all the states. . . .

If consolidation proves to be as mischievous to this country as it has been to other countries, what will the poor inhabitants of this country do? This government will . . . destroy the state governments and swallow the liberties of the people, without giving previous notice. . . .

Mr. Chairman, the necessity of a Bill of Rights appears to me to be greater in this government than ever it was in any government before. . . .

—VIRGINIA RATIFYING CONVENTION DEBATE
PATRICK HENRY

Examining the Document

Reviewing the Facts

1. Identify the "chosen body of citizens" to which Madison refers.
2. Describe what fears caused Patrick Henry to suggest a Bill of Rights was necessary.

Critical Thinking Skills

3. Understanding Cause and Effect Why does Patrick Henry object to the use of "We the People" by the delegates to the Constitutional Convention?

in which the Congress (national legislature) dominated the government. By contrast, the Federalists believed that power in the national government should be shared by legislative, executive, and judicial branches. They also believed that the people (eligible voters) should directly elect only members of one part of the legislative branch—the House of Representatives. Antifederalists feared that the Constitution of 1787 gave too much power to the executive branch at the expense of the other branches of government.

A Bill of Rights. Antifederalists criticized the Constitution, because it lacked a Bill of Rights to guarantee civil liberties of the people (freedom of speech and assembly, and so forth) against the powers of government officials. Federalists argued that a Bill of Rights was unnecessary, because the national government had only those powers granted to it in the Constitution. Thus, the government would not be able to deprive individuals of their basic civil liberties.

Identifying Federalist and Antifederalist Ideas

Examine statements in the following list. Can you distinguish the Federalist from the Antifederalist statements? Write the letter "F" in the space next to each statement that fits the Federalist position. Write the letters "AF" in the space next to each statement that expresses the Antifederalist position. Be prepared to give reasons for your answers.

___ 1. . . . the absurdity must continually stare us in the face of confiding to a government the direction of the most essential national interests, without daring to trust to it the authorities which are indispensable to their proper and efficient management.

___ 2. . . . a federal government . . . ought to be clothed with all the powers requisite to complete execution of its trust.

___ 3. Energy in the Executive is a leading character in the definition of good government.

___ 4. We are now fixing a national consolidation.

___ 5. This country should never be split into a number of unsocial, jealous, and alien sovereignties.

___ 6. If a majority be united by a common interest, the rights of the minority will be insecure. . . . In a society under the forms of which the stronger faction can readily unite and oppress the weaker, anarchy may as truly be said to reign as in a state of nature where the weaker individual is not secured against the violence of the stronger.

___ 7. States are the characteristics and the soul of a confederation. If the States be not the agents of this compact, it must be one great consolidated National Government of the people of all the States.

___ 8. The states should respectively have laws, courts, force, and revenues of their own sufficient for

their own security; they ought to be fit to keep house alone if necessary; if this be not the case, or so far as it ceases to be so it is a departure from a federal to a consolidated government.

___ 9. I am against inserting a declaration of rights in the Constitution. . . . If such an addition is not dangerous, it is at least unnecessary.

___ 10. A bill of rights . . . serves to secure the minority against the usurpation and tyranny of the majority.

___ 11. The . . . new form of government . . . declares a consolidation or union of all the thirteen parts, or states, into one great whole. . . . It is an intuitive truth that a consolidated republican form of government [will lead] . . . into a monarchy, either limited or despotic.

___ 12. The vigor of government is essential to the security of liberty.

___ 13. In our case, the concurrence of thirteen distinct sovereign wills is requisite under the Confederation to the complete execution of every important measure that precedes from the Union. It has happened as was to have been foreseen. The measures of the Union have not been executed; and the delinquencies of the States have step by step matured themselves to an extreme, which has, at length, arrested all the wheels of the national government and brought them to an awful stand.

___ 14. . . . one government . . . never can extend equal benefits to all parts of the United States. Different laws, customs, and opinions exist in the different states, which by a uniform system of laws would be unreasonably invaded.

___ 15. The number of the representatives [called for in the Constitution of 1787] appears to be too few, either to communicate the requisite information of the wants, local circumstances, and sentiments of so extensive an empire, or to prevent corruption and undue influence in the exigencies of such great powers.

Classifying Ideas of Federalists and Antifederalists

Use the preceding statements by Federalists and Antifederalists to answer the questions below.

1. (a) What are five examples of the Antifederalist position on federalism—their views on how powers should or should not be divided between a central government and the states? (b) How did this position differ from that of the Federalists?

2. (a) What is one example of the Antifederalist position on popular sovereignty? (b) How did this position differ from that of the Federalists?

3. (a) What is one example of the Federalist position on a Bill of Rights? (b) How did this position differ from that of the Antifederalists?