**Unit II, District Question #3- May 2014**

*What were the major differences between the Federalists and the Anti-Federalists?*

* *How did the arguments of the Federalists and the Anti-Federalists reflect their points of view regarding natural rights, republicanism, and the powers of the states?*
* *Why are the Federalist and Anti-Federalist debates still relevant today?*

**P1.** In the 1787 war of words over whether or not to ratify the new Constitution, two opposing groups emerged. One, the Federalists, published a series of 85 newspaper articles that came to be known as *The Federalist Papers*. Written under the pseudonym, Publius, Madison, Hamilton and Jay urged ratification. Because of their effective organization and prior knowledge of the new Constitution, this group quickly gained the upper hand in the debate.

**P2.**  The Anti-Federalists, George Mason and Elbridge Gerry, for example, wrote under pen names such as Brutus and Cato, and argued against ratification of the document. While the Anti-Federalists differed in their objections to the Constitution, the one fault upon which they all agreed was the inability of the document to protect natural rights.

**P3.** Many of the major differences between the Federalists, who we will refer to as Publius, and the Anti-Federalists, we’ll call them Brutus, had to do with political power. Publius argued that the Articles of Confederation conferred too little power on the central government. Brutus claimed that the Constitution gave it too much power.

**P4.** Brutus believed that natural rights, republicanism, and constitutionalism were best protected at the local levels of government. He feared the loss of liberty in a centralized republic where members would be far away from the people they were to represent.

**P5.**  Publius argued that the institutional systems of separation of powers, checks and balances and federalism would ensure that no one person, branch or level would gain excessive power. Republicanism, he argued, would thrive in a system which included frequent elections. Publius also insisted that the representation of different interests in the government would protect citizen’s natural rights. The civic virtue so admired by Brutus was insufficient, wrote Publius, to protect the rights of the people. As Madison wrote in Federalist 51, “If men were angels, no government would be necessary.”

**P6.** Brutus claimed**,** the Lockean natural rights of life, liberty, and property are best protected locally. And when it came time to demand for a Bill of Rights, Publius argued that one was not needed in a government based on popular sovereignty. In addition, he claimed that listing some rights as protected could result in the omission of other rights. Admittedly, bills of rights were needed in a monarchy, such as the English Bill of Rights, but they were not required in a nation where the people held the ultimate political power.

**P7.** Both groups agreed on the principle of constitutionalism: that the powers of government should be limited. They simply didn’t agree on how best to achieve that goal. As we know today, Publius won the battle in the war of words; however, Brutus’ arguments led to victory when it came to the Bill of Rights.

**P8.** The relevance of their arguments can be seen in contemporary events under our present government today.

**P9.**  One: In this state and in many others, the principle of republicanism is reflected in the issue of political redistricting, or gerrymandering. We have a growing problem with so-called “safe districts” in which incumbents are re-elected over and over again.

**P10.**  Two: The battle between states-rights advocates and those who seek federal control can be seen in issues such as Oregon’s assisted suicide for the terminally ill, gay marriage, medical marijuana and education.

**P11.**  Finally, the importance of the Bill of Rights when it comes to the 4th Amendment’s insistence on a warrant before government can intrude on one’s privacy has been publicized ever since the attacks of 2001, and most recently, with the NSA’s “Prism” initiative as leaked by an intelligence officer, Edward Snowden.

**P12.** In conclusion, in the tug-of-war over state powers versus federal powers, each side must remain strong enough to continue as a viable competitor. The very process of allocating power prevent its excessive concentration in any government. As Madison wrote in Federalist 51: “Safety lies in power divided, ambition checking ambition.”

**P13.**  Thank you for your time. We are now eager to discuss these issues with you.