

Analyzing the arguments for and against federalism politics essay



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Federalists versus Anti-Federalists. In the years leading up to and surrounding the ratification period of the United States Constitution of 1787, significant debate entrenched the country concerning both opposition and support of the proposed government. The differing opinions and subsequent debates manifested in the Federalists, supporters of the Constitution, and those in opposition, the Anti-Federalists. Taking into consideration aspects of the current government under the Articles of Confederation, both advocates and assailants of the Constitution deliberated over significant ideas such as the very role and form of government, political sovereignty, and the rights of man. Building on their history as a nation freed of its oppressor, in addition to energetic political theoretical debate, each side effectively rendered valid and considerable arguments both in favor and opposition of our nation's constitution.

Proponents of the Constitution, called the Federalists, saw a need for vast improvement in the framework of the nation and, subsequently, a remedy to what they believed to be the significant and deadly weaknesses of the Articles of Confederation. Primarily, the Federalists were concerned with the necessity of a stronger centralized government where the Articles had failed, but they maintained other beliefs and reasons that validated the Constitution. Through union with a stronger, more energized national center, peace could be best maintained, commerce would flourish, and the rights of the people would be aptly secured. A sturdier head would ensure the proper handling of foreign affairs and common defense of the nation, acting as a safeguard against external threat. However, not only would the government as established by the Constitution protect against foreign danger, it would

defend the rights of its people from internal threat; namely, the threat of faction as understood to be special interests of a group that infringe on the rights of another in a manner detrimental to the collective good (Madison, Federalist No. 10) Given that one of the chief goals of the Federalists was to “ secure the public good and private rights against danger of such a faction,” the Constitution accounted for what Madison believed to be man’s inherent differences, love of power, and tendency toward faction.

Concerning the actual form of government, a confederation of states would be dismissed in favor of a union; that is, a division of the national and state with a sharing of government upheld by each. The national government would further be dichotomized into branches; therefore, a system of checks and balances emerges at two levels where the “ different governments will control each other...at the same time be controlled by itself”. This “ double security...to the rights of the people” would, in effect, entirely protect liberty and negate any fears of gross power and oppression by the national government (No. 51). In further defense of the Constitution, Madison asserted that the government would not only be understood in the national sense, but derived from a federal meaning as well. That is, although divisions of government exist, the Constitution would be “ neither wholly federal nor wholly national” and as a people, we can choose what is necessary and what is best of both forms (No. 39). This combination not only allowed for the great diversity of American society and subsequent spectrum of beliefs and ideas, but enabled a system better able to voice the concerns of its people.

In addition, the Federalists believed in representation enabled by republic.

Only through a republic would the enormity of the United States be aptly
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governed and equally represented. In this vein, the structure of a strong national seat is verified-the national government concerns the state governments which sequentially concern all peoples (No. 14). Again, the idea of federalism in the sense of the Constitution's division of a national government and a state government becomes embedded in the defense of the federalists. Madison compares a true democracy where the people are directly involved in the political process against a republic where the people's delegations enact participation. He saw the republic as best fit to serve the needs of a large population, where a democracy would fall to his great fears of majoritarian rule (No. 10). Believing that a republic would most ideally control the " effects of faction" rather than try and accomplish their impossible elimination, Federalists insisted upon " a republican remedy for the diseases most incident to republican government" (No. 10).

Rounding out the arguments of the Federalists demands a discussion of the vital role of sovereignty; that is, the ultimate political authority. Embedded within their key, most powerful argument in favor of a substantially centralized government, the question of sovereignty becomes undeniably important in the debate over the Constitution and proposed government. Where the Articles unequivocally granted sovereignty to the states, the Constitution and its supporters proposed and understood sovereignty through the vessel of federalism. That is, in the separation of state and national governments, final political authority can derive from and reside in only the people themselves (No. 46). This is due to the state governments adhering to the people, and any " schemes of usurpation" by the national government will be checked (No. 46). It is important to note that states'

sovereignty would not be completely abolished with the Constitution; rather, a sense of their political authority lingers and remains when concerning local affairs. In totality, the Federalists saw a vision of final political dominion as inseparably and cohesively granted to the people themselves.

In opposition to the champions of the Constitution were the Anti-Federalists. In certain instances both sides agreed on principle; for instance, that liberty was the “greatest of all earthly blessings” (p. 200, *The Anti-Federalist Papers*). Certain opponents even agreed that “in a federal union lies... political salvation” (193), and did not even necessarily disavow the concept of federalism. However, the Anti-Federalists held clear and varied objections to the ideas of the Federalists and their designs to redress the problems of government. Invoking the recently won liberties of the nation and fresh wounds of revolutionary war, the Anti-Federalists were hesitant to overturn the current government under the Articles and in the process, commit what they believed to be the dismissal of the colonies’ right of rule. Importantly, they also desired a written Bill of Rights with the Constitution to ensure the liberty of the people against tyranny. And in all of this, they feared a powerful national government that would “oppress and ruin the people” and the inevitable stripping of sovereignty from the individual states (201).

Where the Federalists saw union and an ideal form of government in the compound republic, the Anti-Federalists saw not a federal government, but instead a consolidated one. The merging of all states into one union under the dominion of a national government meant a relinquishment of the states’ sovereignty, in effect the rights and powers of people. They did not believe the proposed division of a national government from the state governments

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was best representative and beneficial to the country, at least as interpreted by the Federalists. The Anti-Federalists may have certainly believed in federalism in terms of division of political authority, but could not be reconciled with an enlarged center. Wanting the states to retain their power and sovereignty, they rejected the idea of a republic, believing this form to lack the “ confidence of the people” and therein the inability to ensure liberty (327). The Constitution’s government was too broad and dismissive of the states as individual entities. For the Anti-Federalists, the concept of the states as separate units as dictated by the Articles was sufficient—they understood federalism to be in its truest form as was represented by a division of political authority between the states. Sovereignty was layered among the colonies, with each state acting as its own governmental ultimate. A transition to consolidated government undeniably invited all manner of ruin and despotism to unfold in the nation’s future.

Continuing a rejection of concentrated power in the national government, they did not trust Congress and their proposed allowances and balked at the idea of a President, who they believed would simply become a tyrant.

Stemming from their beliefs that the virtue of men cannot be depended upon, they saw oppression as inevitable and that the “ President may easily become King” (213). Although the Federalists may have purported that the current government lacked any executive power in governing the states and ensuring law, the Anti-Federalists believed the states to be entirely capable of self-government. Again, the recently won revolution remained fresh on all minds and especially for the opponents of the centralized government, the

Constitution too hastily sought to fix an able government with a system that would disregard rather than protect their newly-minted liberties.

Not only did the power granted to the federal government by the Constitution alert Anti-Federalists of inevitable tyranny in the executive, it tipped the scales dangerously through both the judicial and legislative branches. Although the Federalists insisted that the republican, enlarged national government would inherently check itself and balance the powers of each arm, the Anti-Federalists saw each branch exerting their powers mutually and collectively in only a self-serving way. Particularly, the judiciary would dictate legislation and possess the final word in manners regarding how the Constitution would be understood, wholly undermining the rights of states until they, in effect, become “ so trifling and unimportant, as not to be worth having” (304). This limitless power of Congress would ensure rule by a few, confirming the fear of misrepresentation and stolen liberty. Where Madison saw faction as the great danger, the Anti-Federalists viewed their rule by few to equally be “ a contemptible minority that prevents the good of the majority” (205).

But perhaps most remembered of the arguments of the Anti-Federalists was the call for a concise, written articulation of the rights of man after the English model. In keeping with their greatest fear of states losing their sovereignty, they wanted a clear depiction of their natural and allowed rights that defended their liberties from government. Where the Federalists believed a written catalogue of rights would be disastrous as it would infringe on any right not expressed, the Anti-Federalists demanded it if a constitution was to be “ a compact of people with their rulers” (309).
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Government could not be allowed without a built-in protection of liberty from government itself. A Bill of Rights would further limit the powers of the federal government and their proposed rights were numerous and precise. Among them, powers of the Supreme Court and executive were specified to name a few, and many government actions would pass through the state governments first. The Legislative, Executive, and Judicial branches were to be completely separate and distinct (220). Many other rights were expressed, and their proposed affirmations became their strongest and most direct argument under the overarching demand for a less powerful national government.

As evidenced by the progression of history, the Federalists eventually won out in the fight over the Constitution-the proposed contract saw ratification and institution and today we are the United States of America with individual state governments presided over by a strong national government, with a further division into the branches of the Legislative, Judicial, and Executive. It can be said with great certainty that our nation would have looked incredibly different had the Federalists' Constitution not won out, and while arguably our modern government differs from exactly what the Founding Fathers foresaw, their proposed government holds true today. But although the Federalists won, the vestiges of those in opposition to our Constitution reside in our Bill of Rights, however a shadow of the Anti-Federalists' wishes it may be. Personally, I cannot deny a shared desire with the Anti-Federalists for a less power national government-in many ways, it oversteps its bounds and does so by the allowances of the Constitution, particularly concerning commerce. A clearer, more in-depth Bill of Rights would definitely provide for

more protection from government, but overall the complete liberties of our nation leave little room for complaint. The government of today exists as a functioning, complex, albeit politically-motivated entity, and as a nation we progress and have not devolved into tyranny as the Anti-Federalists feared.