

Foundations of American Democracy

After suffering years of imposed tax laws, such as the Sugar Act, Stamp Act, and the rights violations that followed, the American colonists presented the Declaration of Independence to the British Crown in 1776. Breaking away from British control and claiming sovereignty, the new states fought a war to establish their independence. The 1783 Treaty of Paris spelled out the peace terms and brought the war to an end. The new United States government at first operated under the Articles of Confederation, a loose association of the 13 states. However, the Articles provided insufficient structure to bind the states together, and its weaknesses were revealed. In 1787, delegates convened in Philadelphia to draft a new constitution. After a public debate between Federalists, who endorsed the plan, and Anti-Federalists, who opposed the plan, citizens of the states ratified it.

The Constitution defined the three branches of government, relations among states, national and state powers, and the process to amend the document. Among its provisions is the system of checks and balances, which keeps any one branch from becoming too powerful. The amendment process also allowed for the addition of the Bill of Rights and, eventually, a total of 27 amendments.

The Constitution established *federalism*, a two-tiered system of government that divides the power between the national and state governments. As new national concerns have surfaced, Congress has used its power to set policies to address these issues consistently throughout the states. Yet states use their power to maintain jurisdiction over schools, marriages and divorces, criminal law enforcement, motor-vehicle law, and other areas. Through state referenda, citizens have recently made changes on family leave, gambling, and the legalization of marijuana.

ENDURING UNDERSTANDINGS: FOUNDATIONS OF AMERICAN DEMOCRACY

- LOR-1: A balance between governmental power and individual rights has been a hallmark of American political development.
- CON-1: The Constitution emerged from the debate about weaknesses in the Articles of Confederation as a blueprint for limited government.
- PMI-1: The Constitution created a competitive policymaking process to ensure the people's will is represented and that freedom is preserved.
- CON-2: Federalism reflects the dynamic distribution of power between national and state governments.

Source: AP® United States Government and Politics Course and Exam Description

Ideals of Democracy

"Britain is the parent country, say some. Then the more shame upon her conduct. Even brutes do not devour their young, nor savages make war upon their families . . . Every thing that is right or natural pleads for separation. The blood of the slain, the weeping voice of nature cries, 'TIS TIME TO PART,"

—Thomas Paine, *Common Sense*, 1776

Essential Question: How are democratic ideals reflected in the Declaration of Independence and the U.S. Constitution?

The ideals of American democracy are firmly rooted in the establishment of the United States after the Revolution of the late 1700s. More than a century before, however, American settlers began to define democracy and self-governance. When the Pilgrims landed in Massachusetts in 1620, they knew their survival depended on working together and forming a "civil body politic," so they drafted a governing document, the Mayflower Compact. This agreement was grounded in Christian morals and the God-given right to self-rule, even while the Pilgrims remained British subjects. More than 150 years later, the Declaration of Independence, applying the principles of Enlightenment philosophy, provided a foundation for a government in which the people with protected rights, not monarchs, were the true source of governmental power. A decade later, the United States Constitution codified the ideals of self-government, consent of the governed, and representation into guidelines for a new nation.

Influence of Enlightenment Thought

The leading revolutionaries were inspired by Enlightenment thinkers who championed natural, God-given rights and a social contract between a representative government and the people, the true source of power. They argued that if a government violated the understood compact, then the people could take that power back.

Enlightenment Philosophers

Advocates for freedom from British rule drew on Enlightenment political theory. It had been developed when the principles of rationalism that had unlocked doors to the natural world during the Scientific Revolution were

applied to the social world as well. Especially influential were the writings of English philosophers Thomas Hobbes (1588–1679) and John Locke (1632–1704), Swiss-born philosopher Jean-Jacques Rousseau (1712–1778), and French philosopher Montesquieu (1689–1755).

Thomas Hobbes and *The Leviathan* In his famous work *The Leviathan*, Hobbes argues that when humans live in “a state of nature” rather than in a governed state, the result is anarchy and war, and human life is “solitary, poor, nasty, brutish, and short.” A modern example is Somalia after the collapse of its repressive government in 1991. The resulting stateless society endured a long series of bloody civil wars.

The remedy for this condition, according to Hobbes, was for people to give up some of their rights, as long as others did so as well, and agree to live in peace. In his view, an absolute sovereign—the Leviathan referred to in the title—would hold society together, yet still honor a social contract, as long as the sovereign’s rule took the good of society into account.

John Locke and Natural Law John Locke, a British philosopher, argued in *Second Treatise of Civil Government* (1690) that **natural law** is the law of God and that this law is acknowledged through human sense and reason. In contrast to Hobbes, he proposed that under natural law—in a state of nature—people were born free and equal. According to this law, Locke reasoned, “No one can be . . . subjected to the political power of another, without his own consent.” Locke argued further that natural law not only entitled but actually obligated people to rebel when the rule of kings did not respect the consent of the governed.

Jean-Jacques Rousseau and *The Social Contract* Rousseau was much influenced by Locke. He spoke for those “intending their minds” away from an irrational and oppressive political order, away from a governmental theory that rested in the divine right of kings and clergy to rule and misrule. The opening sentence of his influential treatise, *The Social Contract*, dramatically lays out a key human problem: “Man was born free, and he is everywhere in chains.” The social contract Rousseau describes is the agreement of free and equal people to abandon certain natural rights in order to find secure protections for society and to find freedom in a single body politic committed to the general good. He envisioned **popular sovereignty**—the people as the ultimate ruling authority—and a government of officials to carry out the laws.

Baron de Montesquieu and *The Spirit of the Laws* French philosopher Montesquieu (1689–1755), like Rousseau, recognized in *The Spirit of the Laws* (1748) both the sovereign and administrative aspects of governmental power. He saw a republican form of government as one having defined and limited power while granting political liberty to citizens. Montesquieu argued for the separation of powers in the administrative government, comprised of the executive, legislative, and judicial branches.

Enlightenment thought was well known among English colonists in North America. According to historian Carl Becker, “Most Americans had absorbed

Locke's works as a kind of political gospel." The American revolutionaries believed that men were entitled to "life, liberty, and property" and that these cannot be taken away except under laws created through the consent of the governed. These beliefs formed the bedrock of the political ideology known as **republicanism**. In a republic, citizens elect leaders for a limited period of time; the leaders' job is to make and execute laws in the public interest. The lack of colonial representation in Parliament, such as taxation without consent and subsequent infringements of liberty, violated fundamental rights and the values of republicanism. These violations were remedied by the creation of an independent, limited, and representative government based on the ideas of natural rights, popular sovereignty, republicanism, and the social contract.



THINK AS A POLITICAL SCIENTIST: DESCRIBE POLITICAL PRINCIPLES IN DIFFERENT SCENARIOS

The United States is a **limited government**—one kept under control by law, checks and balances, and separation of powers. For example, although the government uses taxpayer money to fund large public projects, such as transportation systems and social safety nets, it cannot make those commitments unless representatives duly elected by the people agree on them. In a monarchy, in contrast, the government uses taxpayer money as it sees fit.

A limited government also respects people's individual liberties and steps in only when necessary to resolve conflicts when individual liberties collide with some opposing force—another individual's liberties or the public interest, for example.

Practice: Describe how the principle of limited government applies to each of the following scenarios.

1. The state government establishes laws governing the legal age to drive.
2. A case before the Supreme Court determines whether a person can be fired for being LGBTQ.
3. The United States Department of Agriculture issues nutritional guidelines.

Declaring Independence

American-British tensions rose to new heights in the early 1770s. Colonists protested Parliament's taxing them without consent or representation. To enforce the tax laws and to quiet the discontent in America, the British government sent a military force to the colonies. Friction between the soldiers, trying to instill order, and the colonists, trying to enjoy their liberty, resulted in a decade of conflict that further divided the two sides.

British suppression of self-rule, economic punishments, and unfair trials and imprisonments finally brought the two sides to blows. In fact, the battles of

Lexington and Concord had already taken place by the summer of 1776 when the Second Continental Congress met in Philadelphia. Virginia delegate Richard Henry Lee offered a short motion declaring American independence and the authority of this Congress to vote to officially end the relationship with Great Britain. Delegates from the colonies debated the motion for days before breaking the session to allow some delegations to travel back to their legislatures to make sure they were adequately representing them. The same gathering, before it temporarily adjourned, commissioned a committee of five men—**Thomas Jefferson, John Adams, Benjamin Franklin**, Roger Sherman, and Robert Livingston—to draft a full, more official statement to summarize the colonists' views.

On June 11, the five men met at Franklin's lodgings and planned the document's content and shape. When Franklin declined the invitation to draft it because of his shaky health, they handed the assignment to Thomas Jefferson. The Second Continental Congress reconvened on July 1 to debate the enhanced resolution. Over the next two days, Jefferson and the committee made 85 revisions or deletions. The full body debated and then voted on July 4, 1776, to approve the document, which became the **Declaration of Independence**. It provided a moral and legal justification for the rebellion.



FOUNDATIONAL DOCUMENTS: DECLARATION OF INDEPENDENCE

The Declaration of Independence drew from Locke and other Enlightenment philosophers, upholding popular sovereignty. It explained how abuses by the too powerful British Crown violated natural rights and self-rule, justified the colonists' separation from Britain, and defined the newly independent states' relationship. Following are key excerpts from the Declaration.

When in the course of human events, it becomes necessary for one people to dissolve the political bands which have connected them with another . . . they should declare the causes which impel them to the separation. We hold these truths to be self-evident, that all men are created equal, that they are endowed by their creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness.—That to secure these rights, Governments are instituted among Men, deriving their just powers from the consent of the governed, —That whenever any Form of Government becomes destructive of these ends, it is the Right of the People to alter or to abolish it. . . .

The history of the present King of Great Britain is a history of repeated injuries and usurpations . . . he has refused his Assent to Laws, the most wholesome and necessary for the public good . . . he has called together legislative bodies at places unusual, uncomfortable, and distant . . . he has dissolved Representative Houses repeatedly, for opposing with manly firmness his invasions on the rights of the people . . . he has plundered our seas, ravaged our coasts, burnt our towns, and destroyed the lives of our people. . . .

[For these reasons], these united colonies are, and of Right ought to be Free and Independent States. . . . And for the support of this Declaration, with a firm reliance on the protection of divine Providence, we mutually pledge to each other our Lives, our Fortunes and our sacred honor.

Political Science Disciplinary Practices: Analyze the Declaration of Independence as Argument

The Declaration of Independence is widely regarded as an outstanding example of classic argument—a written or spoken effort to persuade people to adopt a certain point of view or take a certain action. When you analyze an argument, you take it apart to understand its elements. You identify the author's *claims*—statements asserted to be true—and the reasoning the author uses to support those claims. For example, the Declaration asserts that governments derive their power from the consent of the governed, establishing the basis for popular sovereignty. The Declaration also claims that people have the right to alter or abolish a government that is destructive to people's rights.

Apply: Explain how these claims relate to Enlightenment thought and republican ideals. Then read the full Declaration of Independence on pages 696–699, and answer the questions that follow it for an in-depth analysis of the argument in this founding document.

The Revolutionary War intensified, and the Continental Congress sent diplomats to foreign countries and military generals to lead the fight. The colonies-turned-states created a more official government under the Articles of Confederation, the nation's first constitution. (See Topic 1.4.) The war raged on until General George Washington's army defeated the British at Yorktown, Virginia, in 1781. In 1783, the Treaty of Paris officially ended the war.



Source: Library of Congress

Declaration Committee (left to right): Thomas Jefferson, Roger Sherman, Benjamin Franklin, Robert R. Livingston, and John Adams

The U.S. Constitution: A Blueprint for Government

After experimenting with a decentralized federal government under the Articles of Confederation, the Confederation Congress called a convention in Philadelphia for the sole purpose of revising the Articles of Confederation. In May 1787, delegates began to arrive at Independence Hall (the Pennsylvania State House) to get an early start on improving national governance. Thirty-six-year-old **James Madison** was among the first to arrive. The Virginia lawyer was well prepared for the deliberations. His friend Thomas Jefferson served in Paris as the U.S. ambassador to France and sent Madison books on successful and

unsuccessful governments. Madison's influence in creating the plan for the new government and his stalwart support of it during the ratification process (see Topic 1.5) earned him the nickname "Father of the Constitution."

The delegates elected **George Washington** as president of the Convention. He presided as a calming force during heated debate. In fact, Washington's participation alone elevated the validity of the endeavor. **Alexander Hamilton's** intellect, drive, and quest to elevate the nation made him instrumental in shaping the new design. Benjamin Franklin, the elder statesman at age 81, offered his experience as one who had participated in the drafting of the Declaration of Independence, the Articles of Confederation, and the Treaty of Paris with Britain. He also held distinction in discovery, invention, and civic endeavors, embodying Enlightenment ideals.

In addition to these leading statesmen, states sent representatives with significant experience in public affairs—some who became future Supreme Court justices, Cabinet members, and notable congressmen—intent on creating outcomes beneficial to their state. All were well versed in Enlightenment political thought and had served the Revolutionary cause.

The delegation decided on procedural matters and formed the **Grand Committee**. The committee was made up of one delegate from each of the states represented at the convention. George Mason, William Paterson, and Benjamin Franklin were among those on the Grand Committee. The Grand Committee was instrumental in forging the compromises needed to work out the many conflicting interests as the new form of government took shape. (See Topic 1.5 for more about the constitutional compromises.)

An Enlightened Constitution

When the delegates completed their work on September 17, 1787, they had created a blueprint for a unique form of political democracy. They recognized, as did Hobbes, the need for a strong executive, but they discarded his idea that such a person should have absolute power, as a monarch would. Instead, they created an executive branch headed by an elected president, ultimately subject to the will of the people. Like Locke and Rousseau, they believed that people committed to a social contract by giving up some individual rights in exchange for the benefits of a government that sought justice and preserved fairness. Like Montesquieu, they supported the separation of powers.

BIG IDEA The U.S. Constitution establishes a system of checks and balances among branches of government and allocates power between federal and state governments. This system is based on the rule of law and the balance between majority rule and minority rights. The plan for government under the new constitution included three separate branches—legislative, executive, and judicial—each having unique powers and each able to block the others from gaining too much power. Congress as the legislative branch could tax, borrow money, and regulate commerce. The president would serve as commander in chief. The judicial branch included a Supreme Court and a plan to create lower courts. The Constitution also outlined a system to elect the president.

Challenges of the Articles of Confederation

"But the confederation itself is defective and requires to be altered. It is neither fit for war nor peace. The idea of an uncontrollable sovereignty in each state over its internal police [militia] will defeat the other powers given to Congress and make our union feeble and precarious."

—Alexander Hamilton, to New York Mayor James Duane
on the Articles of Confederation, 1780

Essential Question: How did the provisions of the Articles of Confederation lead to debates over granting powers formerly reserved for states to the federal government?

It took five drafts of the Articles of Confederation (formally known as the Articles of Confederation and Perpetual Union) before delegates agreed on the sixth version and sent it to the states for approval in 1777. The colonies had recently declared independence, and the Revolutionary War was underway, presenting an urgent need for a formal government. Disagreements over land charters between states slowed ratification of the Articles. Thomas Jefferson finally persuaded the thirteenth state to ratify in 1781.

The difficulties in ratifying the Articles of Confederation foreshadowed governing problems. A lack of national unity and a struggle for power were only two of many challenges the United States would face under the Articles.

The Articles of Confederation

The Continental Congress created a committee of 13 men to draft the **Articles of Confederation**, the document that laid out the first form of government for the new nation. The Articles redefined the former colonies as states and loosely united them as a confederation or alliance under one governing authority. Each state wrote its own constitution, many of which were pointedly in response to the injustices the colonists had experienced under British rule. The state constitutions shared other features as well: they provided for different branches of government, they protected individual freedoms, and they affirmed that the ruling power came from the people.

John Dickinson wrote the 1776 draft of the Articles, which after revisions was submitted to the states for approval. This document defined "the firm

league of friendship” that existed among the states, which had delegated a few powers to the national government.

The question of how to apportion states’ representation in the newly designed Confederation Congress was beset with controversy. Some leaders recognized the merits of giving greater representation to the more populated states, something the Virginia delegation advocated. Leaders from smaller states opposed representation based on population. After a furious debate, the authors of the Articles created an equal representation system—each state received one vote in the new Confederation Congress.

The Confederation Congress met in New York. States appointed delegations of up to seven men who voted as a unit. National legislation required the votes of at least nine states. A unanimous vote was required to alter or amend the Articles of Confederation themselves or to alter the format of government. The Articles entitled the Congress to engage in international diplomacy, declare war, and acquire territory. They provided protection of religion and speech. They provided for extradition—the return of criminal fugitives and runaway slaves back to states they had fled. The Articles encouraged a free flow of commerce among the states. They required that states provide a public, fair government and that Congress could sit as a court in disputes between states.



FOUNDATIONAL DOCUMENTS: ARTICLES OF CONFEDERATION

The Articles of Confederation provide that “each state retains its sovereignty, freedom, and independence.” This provision was essential, since the states were wary of a centralized power that might wield the same influence over them that the British government wielded. Following are some of the key provisions of the Articles of Confederation.

... each state retains its sovereignty, freedom, and independence, and every Power, [not] ... expressly delegated to the United States, in Congress assembled. ... in determining questions in the United States, in Congress assembled, each State shall have one vote. ...

The United States in Congress assembled, shall have the sole and exclusive right and power of determining on peace and war. ...

Full faith and credit shall be given in each of these States to the records, acts, and judicial proceedings of the courts and magistrates of every other State. ... congress assembled shall also be the last resort on appeal in all disputes and differences now subsisting or that hereafter may arise between two or more States.

Political Science Disciplinary Practices: Relate the Articles of Confederation to Political Principles and Institutions

Apply: Review the three types of democracies described in Topic 1.2. Based on the provisions above, identify the type of democracy that the Articles of Confederation created. Describe two provisions of the Articles of Confederation that demonstrate that type of democracy.

Then read the full Articles of Confederation online.

An Ineffective Confederation

The people of the confederation feared a strong national government, having just suffered the abuses of the British crown as colonists. Yet, they wanted a structure to keep them organized and united, especially for the economic success of all. Many Americans felt the best way to achieve this outcome was to tip the power in favor of states over a national authority. States, which many felt a sense of loyalty to above the nation, had a wide variety of characteristics and needs to be accommodated by this new form of government.

The Articles of Confederation provided a weak system for the new United States and prevented leaders from making much domestic progress. The system had rendered the Confederation Congress ineffective. In fact, the stagnation and a degree of anarchy threatened the health of the nation.

The following chart summarizes some of the weaknesses.

WEAKNESSES IN THE ARTICLES OF CONFEDERATION

- The requirements that at least nine states must agree in order to enact national law.
- The requirement that all states must agree in order to amend the system of government proved daunting.
- The Congress could not tax the people directly.
- The national government could not raise or maintain an army.
- There was no national court system or national currency.
- The Congress encouraged but could not regulate commerce among the states.

Financial Problems and Inability to Tax

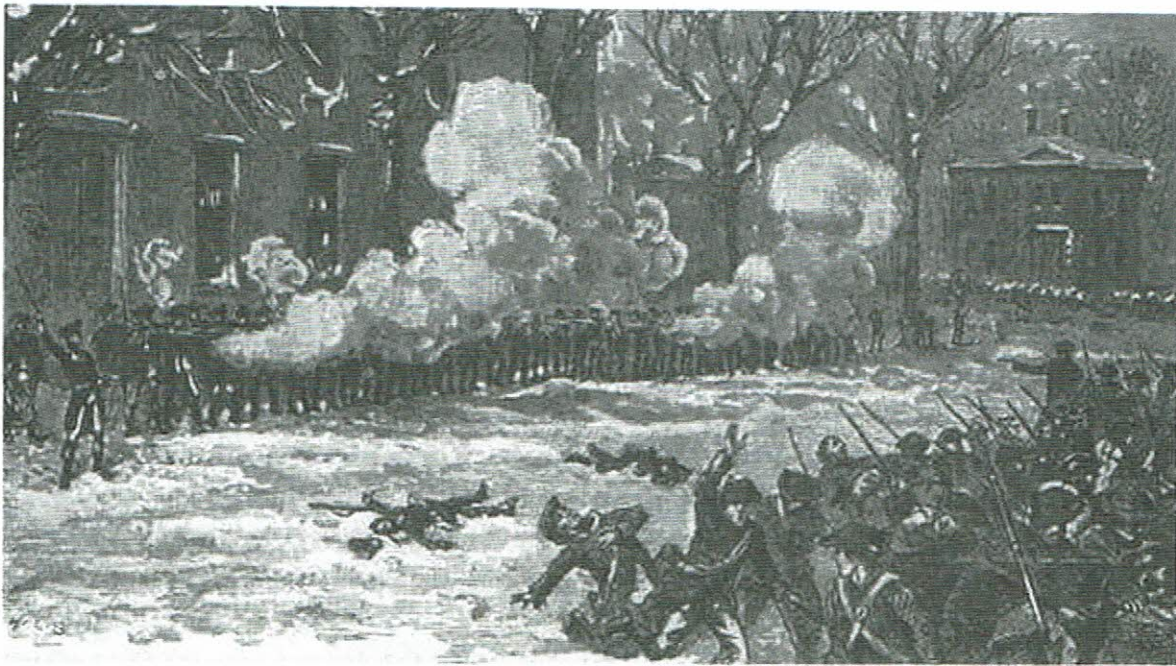
The national government under the Articles lacked the power to mandate taxes, forcing it to rely on voluntary assistance from states to meet its financial needs. States did not lack the funds to pay those taxes, but they did harbor disdain for taxes imposed by a more remote authority after having fought a long war over the issue. One Massachusetts legislator wrote his member of Congress, stating citizens "seem to think that independency being obtained, their liberty is secured without paying the cost, or bestowing any more care upon it." Without taxes, the new government couldn't pay foreign creditors and lost foreign nations' faith and potential loans.

For six years, the Confederation Congress and the infant country wrestled with how it would pay for the independence it had earned while remaining skeptical of giving too much taxing power to its national government. By January 1782, 11 states had approved a resolution to empower Congress to adopt a 5 percent import tax. But Rhode Island's unanimous rejection of the bill and Virginia's less-united "no" vote killed the plan. In 1783, Virginia Congressman James Madison tried again with a tax formula based on state populations (slaves would count as three-fifths a person). For four years, it had the popularity of a strong majority but not the unanimous vote necessary. Many already feared Congress's power to make war and did not want to bestow it with the power to tax. After final defeat of the 1783 tax proposal, no one believed that the states would ever adopt serious tax reform under the Confederation.

Shays' Rebellion

The lack of a centralized military power and readiness to respond to a violent uprising became the closing argument of the need for a strong central government. In western Massachusetts in 1786, a large group of impoverished farmers, including many Revolutionary War veterans, lost their farms to mortgage foreclosures and their failure to pay higher than average state taxes. They organized, disrupted government, and obstructed court claims. The insurgents demanded the government ease financial pressures by printing more money, lowering taxes, and suspending mortgages. In early 1787, Daniel Shays, a former captain in the Continental army, led a band of violent insurgents to the federal arsenal in Springfield. Local authorities had difficulty raising a militia and only did so from private funds. Massachusetts general William Shepard blocked Shays' army. Artillery fire after a standoff killed four and wounded about 20 of Shays' men. The protesting squads retreated, but additional face-offs, skirmishes, and sporadic guerrilla warfare followed. By February, the rebellion was largely suppressed.

Even if quashed, Shays' Rebellion demonstrated to the nation's leaders that the lack of a centralized military power posed a threat to America's security.



Source: Wikimedia Commons

Federal troops defend the armory in Springfield, Massachusetts, from Shays' forces.

A small group convened in Annapolis, Maryland, to discuss the economic drawbacks of the Confederation and how to preserve order. This convention addressed trade and the untapped economic potential of the new United States. Nothing was finalized, except to secure a recommendation for Congress to call a more comprehensive convention. Congress did so: It was to meet in Philadelphia in May 1787. By then few Americans viewed the Articles of Confederation as sufficient. John Adams, who was serving in Congress, argued that a man's "country" was still his state and, for his Massachusetts delegation, the Congress was "our embassy." There was little sense of national unity.



THINK AS A POLITICAL SCIENTIST: EXPLAIN HOW THE AUTHOR'S ARGUMENT AND PERSPECTIVE RELATE TO POLITICAL PRINCIPLES

Many Americans had strong beliefs about Daniel Shays' efforts to force the Massachusetts government to provide economic relief to farmers. Some considered Shays to be a traitor for taking up arms against the government, while others supported him for standing up to an unresponsive government.

Practice: Read the excerpts below about Shays' Rebellion and explain the author's argument. Also, explain the political principles of the authors that would have influenced their opinion.

1. "The spirit of resistance to government is so valuable on certain occasions, that I wish it to be always kept alive. It will often be exercised when wrong, but better so than not to be exercised at all. I like a little rebellion now and then. It is like a storm in the atmosphere."

—Thomas Jefferson, letter to Abigail Adams, 1787

2. I am mortified beyond expression when I view the clouds that have spread over the brightest morn that ever dawned upon any Country. In a word, I am lost in amazement when I behold what intrigue, the interested views of desperate characters, ignorance and jealousy of the minor part, are capable of effecting, as a scourge on the major part of our fellow Citizens of the Union."

—George Washington, letter to Henry Lee, 1786

REFLECT ON THE ESSENTIAL QUESTION

Essential Question: *How did the provisions of the Articles of Confederation lead to debates over granting powers formerly reserved for states to the federal government? On separate paper, complete a chart like the one below.*

Provision from the Articles of Confederation	How the Provision Proved to be a Weakness

KEY TERMS AND NAMES

Articles of Confederation

Shays' Rebellion

Government Power and Individual Rights

"Different laws, customs, and opinions exist in the different states, which by a uniform system of laws would be unreasonably invaded."

—Federal Farmer, *Poughkeepsie Country Journal*, 1787

Essential Question: How are Federalist and Anti-Federalist views on central government and democracy reflected in America's foundational documents?

Under the Articles of Confederation (see Topic 1.4), political power belonged largely to state governments, with a weaker national government. The delegates at the Constitutional Convention worked to design a stronger national government, yet not as overbearing as the British monarchy had been to the colonies. By 1787, a draft of the Constitution was sent to all 13 state legislatures, which created ratifying conventions to debate and vote for or against the plan. For the Constitution to go into effect, nine states needed to ratify it.

The Constitution was also published in local newspapers. The reaction of many Americans showed a nation divided over opposing beliefs about which level of government should hold more power.

Opposing Beliefs

The differences between the beliefs of Federalists and Anti-Federalists regarding national government were vast. Intense debates over ratification of the Constitution took place between members of these groups. Some of the most substantive arguments appeared in widely circulated newspapers and were read and discussed by many Americans.

THE FEDERALIST, No. 10.
To the People of the State of New-York.

AMONG the numerous advantages promised by a well-constructed Union, none deserves to be more accurately developed than its tendency to break and control the violence of faction. The friend of popular governments, never finds himself so much alarmed for their character and fate, as when he contemplates their propensity to this dangerous vice. He will not fail therefore to let a due value on any plan which, without violating the principles to which he is attached, provides a proper cure for it. The instability, injustice, and confusion introduced into the public councils, have in truth been the mortal diseases under which popular governments have everywhere perished; as they continue to be the favorite and fruitful topics from which the adversaries to liberty derive their most specious declamations. The valuable improvements made by the American Constitution on the popular

The influence of factions extends over the whole of the Union, within their particular States, but will be more able to spread a general contagion through the whole States. A religious sect, may degenerate into a political faction as a part of the constitution, but the variety of sects dispersed over the course of it, will secure the national Constitution. It may danger from that source: A rage for paper money, for an abolition of debts, for an equal division of property, or for any other improper or wicked project, will be left apt to provide the whole body of the Union, than a particular insurrection of it, in the latter proportion as such a malady is more likely to retain a particular country or extend to a single State.

In the extent and proper structure of the Union, therefore, we behold a republicanism exactly for the diseases most incident to republics. Government. And according to the degree of attachment and zeal we feel in being Republicans, ought to be our ground in shewing the spirit and supporting the character of the Federalists.

PUBLISHED

The Federalist Papers were published in three New York newspapers from 1787 to 1788.

With the insistence of fellow pro-Constitution Virginians, **James Madison** named himself a candidate for his state's ratifying convention to be held in Richmond. Federalists argued that a strong national government and the diversity of America's large population would protect the rights of all citizens from the elite and would protect the units of states from the collective whole. The Federalists also wanted to allay fears that their plan would subject people in the states to abuses by this new national government. Madison, in *Federalist No. 10*, addressed the concern that a few powerful individuals might unite into a **faction**, or interest group (see Topic 1.2), to dominate political decisions. He believed the Constitution was designed to limit the influence of factions.



FOUNDATIONAL DOCUMENTS: FEDERALIST NO. 10

Of the 85 essays that Madison, Hamilton, and Jay penned, one of the most cited is *Federalist No. 10* because it addresses the concern over special interests. *Federalist No. 10* speaks of the "mischiefs of faction," or interest groups in government, whether a majority or a minority, "united and actuated by some common impulse of passion, or of interest, adverse to the rights of other citizens." Publius, the "voice" of the Federalist authors, stated that men of like mind might begin to dominate government for their own ends rather than for the public good. He explained how no plan for government can eliminate factions entirely but noted that the framers had created a system to stall and frustrate factions and thus limit their effects. They created not a pure, participatory democracy at the national level but rather a representative and pluralist republic that had to consider the interests of varied people from across many miles of land. America even at its birth was one of the most expansive countries in the world, and varied factions arriving at the nation's capital from New England and Georgia would neutralize one another.

Following are some key quotes from *Federalist No. 10*.

A zeal for different opinions concerning religion, concerning government, and many other points, . . . [and] an attachment to different leaders ambitiously contending for pre-eminence and power . . . have . . . divided mankind into parties, inflamed them with mutual animosity, and rendered them much more disposed to vex and oppress each other than to co-operate for their common good . . .

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. . . . hence, it clearly appears, that the same advantage a republic has over a democracy, in controlling the effects of faction, is enjoyed by a large over a small republic, and is enjoyed by the Union over the States composing it.

Political Science Disciplinary Practices and Reasoning Processes: Analyze
Federalist No. 10

Publius addresses a key concern of many colonists—that a majority could sweep away the will of the minority by their sheer numbers. To answer that in part, he writes, “The influence of factious leaders may kindle a flame within their particular States but will be unable to spread a general conflagration through the other States.” Keep that quote in mind as you complete the activity below.

Apply: Publius identifies an inference in the second paragraph of the quote on page 17. Rewrite that inference in your own words and explain how Publius uses it to advance the cause of adopting a republican government. You can read *Federalist No. 10* and all the *Federalist Papers* online.

Anti-Federalist Opposition to the Constitution

Opponents of the Constitution, including Virginia’s Patrick Henry and George Mason, desired a federal government more like the confederation under the Articles. These Anti-Federalist concerns came from the recent experience with an autocratic ruling country. Some feared the proposed single executive might replicate a monarchical king, potentially limiting state and individual rights. Congress’s power to tax, to control a standing army, and to do anything else it felt “necessary and proper” made the Anti-Federalists wary. The Anti-Federalists suspected foul play and pointed to the thick veil of secrecy in which designing men had conspired to draft the document.



THINK AS A POLITICAL SCIENTIST: DESCRIBE POLITICAL PRINCIPLES

Once the united colonies won their freedom from Britain, the nation needed to decide which democratic principles would be at its foundation. One principle centered on the role and importance of **factions** as the framers defined the government of the young nation.

Practice: Complete the following directions.

1. Define faction, or interest group.
2. Give an example of a faction.
3. Describe the opposing views on the role and importance of factions. Be sure to include:
 - Who would have supported and who would have opposed factions?
 - Why was there support for and opposition to factions?



Source: Wikimedia Commons
Anti-Federalist Patrick Henry

Anti-Federalists and Federalists differed in their views about a large republic. The *New York Journal and Weekly Register* published a series of 16 Anti-Federalist articles written under the pseudonym Brutus. In fact, the first Anti-Federalist article appeared a few weeks before *Federalist No. 1*.

FOUNDATIONAL DOCUMENTS: *BRUTUS NO. 1*

“Brutus” writes for the purpose of dissuading readers from supporting the new Constitution. *Brutus No. 1* is a commentary on the dangers of too large and too consolidated a government. Brutus argues that rarely would the citizens of a large nation know of the workings of government or know their elected representative.

He argues that the necessary and proper clause and the supremacy clause give the federal government unlimited power, risking personal liberty. He argues that in a free republic, people have confidence in their rulers because they know them, and the rulers are accountable to the people who have the power to displace them. He posits that “in a republic of the extent of this continent, the people . . . would be acquainted with very few of their rulers: [they] would know little of their proceedings, and it would be extremely difficult to change them.” He also specifically counters the Federalists’ view that a large country and government prevent the rise of controlling factions.

... if respect is to be paid to the opinion of the greatest and wisest men who have ever thought or wrote on the science of government, we shall be constrained to conclude, that a free republic cannot succeed over a country of such immense extent, containing such a number of inhabitants, and these increasing in such rapid progression as that of the whole United States. . . . in a republic, the manners, sentiments, and interests of the people should be similar. If this be not the case, there will be a constant clashing of opinions; and the representatives of one part will be continually striving against those of the other. This will retard the operations of government, and prevent such conclusions as will promote the public good. If we apply this remark to the condition of the united states, we shall be convinced that it forbids that we should be one government.

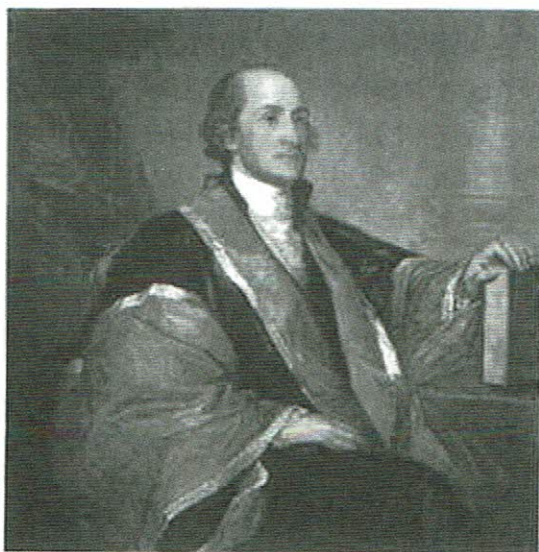
Political Science Disciplinary Practices and Reasoning Processes: Compare *Brutus No. 1* and *Federalist No. 10*

Both Brutus and Publius convey the conviction that factions and constant clashing are givens in a large country, yet the two sides come to nearly opposite conclusions.

Apply: Identify and explain the similarities and differences in the political beliefs, ideologies, and principles of Brutus and Publius based on the implications conveyed in their writing. Also, explain how each position may have affected the ratification of the Constitution.

Read the full text of *Brutus No. 1* online.

Newspapers published the text of the Constitution and essays for and against it, such as the *Federalist Papers* and the articles by Brutus, giving citizens of the newly independent nation the opportunity to read and digest views for and against the ratification of the Constitution. Debate was passionate and heated not only at the national level over the Constitution but also within states. The debate in Rhode Island nearly resulted in bloodshed when almost 1,000 Anti-Federalists organized and marched to Providence to prevent ratification. Other states, such as Massachusetts, New York, and Virginia, offered strongly worded responses regarding their fear of the federal power proposed in the Constitution.



Source: National Gallery of Art, Portrait by Gilbert Stuart
John Jay wrote five of the *Federalist Papers* and was the second governor of New York and the first Chief Justice of the Supreme Court. He was also an abolitionist.

OPPOSING VIEWS REGARDING GOVERNMENT AND DEMOCRACY

Federalists	- Supported the strong national government created by the Constitution - Believed existing Constitutional provisions would protect the rights of states and individuals - Believed qualified representatives were best suited to lead the nation - Believed unchecked factions would put the interests of a few above the interests of the nation
Anti-Federalists	- Wanted states to have more power - Believed a bill of rights was needed to guarantee protection of the rights of states and individuals - Believed many should have a voice in government to prevent the elite from having too much power

REFLECT ON THE ESSENTIAL QUESTION

Essential Question: *How are Federalist and Anti-Federalist views on central government and democracy reflected in America's foundational documents? On separate paper, complete a chart like the one below.*

	View on Central Government	Evidence from Foundational Document
Federalists		
Anti-Federalists		

KEY TERMS AND NAMES

Anti-Federalists

Brutus No. 1

faction

Federalists

Federalist No. 10

Madison, James

CHAPTER 1 Review:

Learning Objectives and Key Terms

TOPIC 1.1: Explain how democratic ideals are reflected in the Declaration of Independence. (LOR-1.A)

Democratic Ideals and Philosophers (LOR-1.A.1)

Hobbes, Thomas (*The Leviathan*)
 limited government
 Locke, John (*Second Treatise of Civil Government*)
 Montesquieu, Baron de (*The Spirit of the Laws*)
 natural rights
 popular sovereignty
 representative republic
 republicanism
 Rousseau, Jean-Jacques (*The Social Contract*)

Foundational Documents and Founders (LOR-1.A.2)

Adams, John
 Declaration of Independence
 Franklin, Benjamin
 Hamilton, Alexander
 Jefferson, Thomas
 Madison, James
 U.S. Constitution
 Washington, George

TOPIC 1.2: Explain how models of representative democracy are visible in major institutions, policies, events, or debates in the U.S. (LOR-1.B)

Types of Representative Democracies (LOR-1.B.1)

elite democracy
 interest group
 participatory democracy
 pluralist democracy
 representative democracy

Tension Between Models of Democracy (LOR-1.B.2)

Anti-Federalists
 Federalists

Representative Democracies Today (LOR-1.B.3)

initiative
 referendum

TOPIC 1.3: Explain how Federalist and Anti-Federalist views on central government and democracy are reflected in U.S. foundational documents. (CON-1.A)

Arguments for Federal Power (CON-1.A.1)

factions
 Federalists
Federalist No. 10
 Madison, James

Arguments for States' Power (CON-1.A.2)

Anti-Federalists
Brutus No. 1