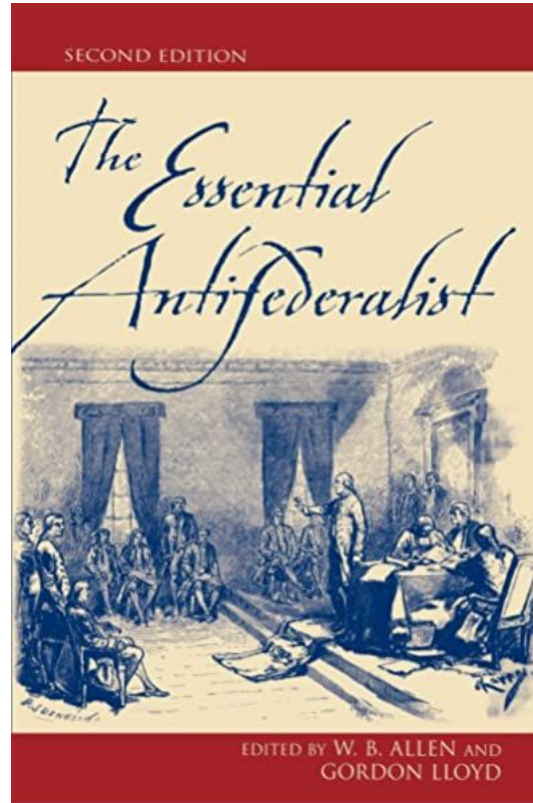


# Today's Session Discusses: What the Anti-Federalists Were For



# Judge Thapar's Recommendation:



# 1. Basic Unity of Anti-Federalist Political Theory

[T]he Anti-Federalists themselves understood their negative conclusions about the Constitution to be derived from a positive political theory or set of political principles.

[T]here was more agreement about many points of opposition to the Constitution than might appear at first glance. Yet it is not possible to read far among the Anti-Federal writings without being struck by an extraordinary heterogeneity. It would be difficult to find a single point about which all of the Anti-Federalists agreed.

## 2. No Sharp line between Federalists and Anti-Federalists; Agreement on the nature of man and ends of political life

There is in fact no hard and fast way of even identifying “Anti-Federalists.” Some men, notably Edmund Randolph, were Federalist and Anti-Federalist at different times. Moderate or lukewarm adherents to either side were often almost indistinguishable from one another.

[T]he Federalists and Anti-Federalists disagreements were not based on different premises about the nature of man or the ends of political life. They were not the deep cleavages of contending regimes.

### 3. Sovereignty

The Anti-Federalists objected that all ... arguments foundered on the impossibility of dual sovereignty.

“It is a solecism in politics for two coordinate sovereignties to exist together....” A mixture may exist for a time, but it will inevitably tend in one direction or the other, subjecting the country in the meantime to “all the horrors of a divided sovereignty.”

A national government would be compelled to impose a crude uniform rule on American diversity...

## 4. Republicanism

Only a small republic can enjoy a voluntary attachment of the people to the government and a voluntary obedience to the laws.

Only a small republic can secure a genuine responsibility of the government to the people.

Only a small republic can form the kind of citizens who will maintain republican government. These claims are central to the Anti-Federalist position.

## 5. Representation

[M]ost of the Anti-Federalists admitted the need, under American conditions at least, for a system of representation as a substitute for the meeting together of all the citizens.

Effective and thoroughgoing responsibility is to be found only in a likeness between the representative body and the citizens at large. Thus “a full and equal representation is that which possesses the same interests, feelings, opinions, and views the people themselves would were they all assembled....”

What is wanted in a representative system is not “brilliant talents” but “a sameness, as to residence and interests, between the representative and his constituents.

## 6. Republican Citizens

A republican citizenry must be free and independent-minded, but it must also be homogeneous. “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.



## 7. Equality of Wealth

Homogeneity implied, for the Anti-Federalists, not only likeness but likeness of a certain kind: a society in which there are no extremes of wealth, influence, education, or anything else—the homogeneity of a moderate, simple, sturdy, and virtuous people.

Wherever they looked in the new Constitution the Anti-Federalists saw threats to civic virtue.

The standing army would be not only a potential instrument of oppression but a source of moral corruption.

## 8. Commerce and Union

Commerce itself, the benefits of which were one of the major reasons for the American Union, seemed to threaten republican simplicity and virtue. Commerce is the vehicle of distinctions in wealth, of foreign influence, and of the decline of morals. “As people become more luxurious, they become more incapacitated of governing themselves.

The bond of Union is to be found not in political power but in a system of diverse but harmonious economic interests.

## 9. Religion

Finally, many Anti-Federalists were concerned with the maintenance of religious conviction as a support of republican government.

They saw no inconsistency between liberty of conscience and the public support of the religious, and generally Protestant, community as the basis of public and private morality.

More generally, the Anti-Federalist position was not so much that government ought to foster religion as that the consolidating Constitution threatened the healthy religious situation as it then

## 10. External Sovereignty

The Anti-Federalists agreed with Publius that “if we are to be one nation in any respect, it clearly ought to be in respect to other nations.” They were likely to emphasize, however, America's isolated situation and the unlikelihood of European powers involving themselves with the United States even to collect unpaid debts.

We shall always have peace, and need make no provision against wars.

## 11. Internal Division of Sovereign Power

Initially it was the Anti-Federalists who doubted the viability of such a mixed system and the Federalists who affirmed it. The Anti-Federalists could not, however, maintain their strict federal ground, as we have seen, because they did see the Union as more than a league. Consequently they followed the Federalists into what we may call the “new federalism” (i.e., a mixed national and federal system) and, despite early misgivings, became its strongest advocates; for it seemed, under all the circumstances, the best way to preserve the principles they thought fundamental.

## 12. States' Rights

They objected to the absence of explicit reservations in behalf of states' rights.

Neither was the states' influence in the general government adequately secured. No real security was to be found in the Senate, which was not truly federal and over whose deliberations the states would have little influence. The states were to have no constitutional check on the actions of the general government.