

1.3

Government Power and Individual Rights

Explain how Federalist and Anti-Federalist views on central government and democracy are reflected in U.S. foundational documents.

With power and rights equally vested in the people the issue of popular sovereignty was settled following the American Revolution of 1776. Limited government, as protector of those rights, took form in a representative democracy as designed by the constitutional convention in 1787. But a bigger question continues to be asked as it was then. Where best to seat this government? Who to empower and where? Should governmental power be established in a centralized authority or decentralized in both state and local domains. The United States Constitution appears to answer yes to both options. A stronger central government was established but so too was a federal form whereby sovereignty is shared between many governing bodies. The vague language of our founding document further complicates navigating these distinctions. A strong government we needed but not too strong. The Federalists and the Anti-Federalists were two political parties who attempted to resolve this dispute.

The Federalist position on these critical questions of government can best be understood by reading a series of essays they published known as the *Federalist Papers*. The Federalists argued, in essay #10, for a stronger central government. They envisioned an American future with a large republic. In doing so they hoped to assuage the greatest threat to a government rooted in popular sovereignty, the “mischiefs of faction.” Democratic-based governments in history were spoiled either by the tyranny of majorities, or worse, single-minded interests that hijacked the greater good. Living in a state of liberty the causes of factions cannot be removed but its effects can. A strong central government overseeing a large republic provides the best means to guard the power and rights of the people. As stated here in Federalist 10, this had never been tried before but the ideas emanating from the American Revolution demanded nothing less.

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 set 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 constitutions on the popular models, both ancient and modern, cannot certainly be too much admired; but it would be an unwarrantable partiality, to contend that they have as effectually obviated the danger on this side, as was wished and expected.

Not everyone agreed with the Federalists.

The Anti-Federalists, an opposition party, addressed the Federalist positions in a series of essays of their own. Anti-Federalists feared that by centralizing governmental power individual liberty would be compromised. The wealthy class easily corrupted strong central governments in history. Aristocratic tendencies should be expected. In one of their strongest statements, entitled Brutus 1, Anti-Federalists advocated for smaller democratic units of government. As stated in Brutus 1 the future of good government was at stake:

In so extensive a republic, the great officers of government would soon become above the control of the people, and abuse their power to the purpose of aggrandizing themselves, and oppressing them. The trust committed to the executive offices, in a country of the extent of the United-States, must be various and of magnitude. The command of all the troops and navy of the republic, the appointment of officers, the power of pardoning offences, the collecting of all the public revenues, and the power of expending them, with a number of other powers, must be lodged and exercised in every state, in the hands of a few. When these are attended with great honor and emolument, as they always will be in large states, so as greatly to interest men to pursue them, and to be proper objects for ambitious and designing men, such men will be ever restless in their pursuit after them. They will use the power, when they have acquired it, to the purposes of gratifying their own interest and ambition, and it is scarcely possible, in a very large republic, to call them to account for their misconduct, or to prevent their abuse of power.

If good government was to be achieved, the greatest authority should be maintained in the state governments. Localized power is the best means of protecting one's inalienable rights.