Lesson 16

What Was the Anti-Federalists' Position in the Debate about Ratification?

Purpose of Lesson

The people who opposed ratification of the Constitution, which created a federal government, were called Anti-Federalists. To understand their point of view, we will focus on the writings of Mercy Otis Warren, the author of many plays and political pamphlets. The Anti-Federalists' position was based mainly on the ideas that had been discussed for more than 2,000 years about the kind of society that was necessary for a republic. You also learn about the Bill of Rights, one of the most important contributions to our Constitution.

When you complete this lesson you should understand the contributions of Anti-Federalists and be able to explain their arguments.

Terms to Know

agrarian community
Anti-Federalists
diverse community

How did the Anti-Federalists view the importance of representative government and civic virtue?

Most Americans were very suspicious of government, but the Anti-Federalists were especially mistrustful of government in general and strong national government in particular. This mistrust was the basis of their opposition to the Constitution. They feared it had created a government the people could not control.

In general, the Anti-Federalists were older Americans who had grown up believing in the basic ideas of republicanism. These included the idea that in a republic, the greatest power should be placed in a legislature composed of representatives elected by the people of the community. It had always been thought that this kind of representative government would only work in a small community of citizens with similar interests and beliefs, because in such a community it would be easier for people to agree on what was in their common interest.

In addition, it was widely believed that people living in small agrarian communities would be more likely to possess the civic virtue required of republican citizens. Living closely together they would be more willing to set aside their own interests when necessary and work for the common good.

The Anti-Federalists understood that the Federalists were proposing a government that was the opposite of this type of republican government. It was large and powerful, it included numerous diverse communities, and its capital would be far away from most of the people it represented. The Anti-Federalists believed such a system would inevitably pose a threat to the rights of the people.

Many distinguished Americans were Anti-Federalists. Leaders included George Mason and Elbridge Gerry. Both had attended the Philadelphia Convention but had refused to sign the Constitution. Richard Henry Lee was a leading revolutionary and signer of the Declaration of Independence, but fought against the ratification of the Constitution. Patrick Henry had always opposed the idea of a strong national government; he became a leading Anti-Federalist. Mercy Otis Warren, a playwright, also opposed ratification. She, like the others, wrote pamphlets explaining why she did not support the Constitution. Other prominent Anti-Federalists included Luther Martin, Robert Yecates, and George Clinton.

Many arguments were made both for and against the Constitution. Most of them had to do with three basic questions:

- Would the new Constitution maintain a republican form of government?
- Would the federal government have too much power?
- Was a bill of rights needed in the Constitution?

What were the arguments of Anti-Federalists?

Mercy Otis Warren was a playwright as well as an Anti-Federalist writer. She is noteworthy because of her unusual ability to enter the man's world of early American politics. Her main criticisms of the Constitution are a good example of the Anti-Federalist position. The Anti-Federalists argued that the Constitution had the following flaws:
It should have been developed in meetings whose proceedings were open to the public.

It would undermine a republican form of government.

It gave too much power to the national government at the expense of the powers of the state governments.

It gave too much power to the executive branch of the national government at the expense of the other branches.

It gave Congress too much power because of the "necessary and proper clause."

It did not adequately separate the powers of the executive and legislative branches.

It allowed the national government to keep an army during peacetime.

It did not include a bill of rights.

Why did the Anti-Federalists fear a strong national government

Warren and the other Anti-Federalists feared that, because of these flaws in the Constitution, the new national government would be a threat to their natural rights. They also thought that the Constitution had been developed by an elite and privileged group to create a national government for the purpose of serving its own selfish interests. Warren and most of the Anti-Federalists thought that the only safe government was one that was local and closely linked with the will of the people controlled by the people, by such means as

- yearly elections
- replacing people in key positions often

What do you think?

1. How did the arguments of the Anti-Federalists reflect their point of view regarding natural rights, republicanism, and constitutionalism?

2. Why did the Anti-Federalists believe that the Constitution would not be able to maintain a system of republican government?

3. Did the Anti-Federalists have less faith in human nature than did the Federalists? Explain your answer.

Should there be a bill of rights?

The lack of a bill of rights proved to be the strongest and most powerful weapon of the Anti-Federalists in their struggle to defeat the Constitution. The most frequent arguments they used were the following:

- The way the government is organized does not adequately protect rights. Only the House of Representatives is chosen directly by the people. The federal government is too far removed from average citizens to care about their concerns. The federal government’s power could be used to violate citizens’ rights.

Why did the Anti-Federalists demand a bill of rights?

Mercy Otis Warren (1728-1814)

Why did the Anti-Federalists demand a bill of rights?

Patrick Henry (1736-1799)
The federal government’s powers are so general and vague that they can be used to give the government almost unlimited power. It can make all laws that are “necessary and proper” to promote the “general welfare.” The Constitution allows the federal government to act directly on citizens. Therefore, its powers over citizens are almost unlimited.

There is nothing in the Constitution to stop the federal government from violating all the rights that are not mentioned in it. Some rights are included and some are not. There is no mention, for example, of freedom of religion, speech, press, or assembly. Since they are omitted from the Constitution, the government is free to violate them.

A bill of rights would quiet the fears of many people that a strong central government could violate their rights. After all, Americans recently fought a revolutionary war to secure their fundamental rights. They do not want a constitution that places those rights in jeopardy.

A bill of rights is necessary to remind the people of the principles of our political system. As one Anti-Federalist put it, there is a necessity of “constantly keeping in view...the particular principles on which our freedom must always depend.”

How did the demand for a bill of rights unite the Anti-Federalists?

The Anti-Federalists often disagreed with each other about why they opposed the Constitution, and they were not a well-organized group. They were united, however, in their opposition to the new federal government described in the Constitution. They soon realized that the best way to defeat the Constitution was to use the issue of a bill of rights.

There was a widespread fear of a strong and powerful federal government combined with the belief that a bill of rights was necessary to protect people from government. If people needed to be protected from their relatively weak state governments, they certainly needed protection from the vastly more powerful federal government. In addition, it was easier for the Anti-Federalists to dramatize the lack of a bill of rights than the issues of taxes or the powers of the state governments.

The lack of a bill of rights became the focus of the Anti-Federalist campaign. It was a highly emotional issue for the men and women who had just fought a revolution to secure their rights. In several states, the question of a bill of rights was used effectively to organize opposition to the ratification of the Constitution.

Reviewing and Using the Lesson

1. What objections and concerns did Anti-Federalists have with regard to the Constitution drafted at the Philadelphia Convention?

2. What arguments did the Anti-Federalists make with regard to the need for a bill of rights?

3. How did the Anti-Federalists use the ideas of classical republicanism to support their position?

4. Conduct research on Mercy Otis Warren, George Mason, and other prominent Anti-Federalists and report your findings to the class.