FEDERALIST

Topic 1: If the legislature has the power to decide the time and place of elections, will they abuse that power?

George Nicholas: Has not our State Legislature the power of fixing the time, places, and manner of holding elections? The possible abuse here complained of never can happen as long as the people of the United States are virtuous: As long as they continue to have sentiments of freedom and independence; should the Congress be wicked enough to harbour so absurd an idea, as this objection supposes, the people will defeat their attempt, by choosing other Representatives who will alter the law.

In your own words:

ANTI- FEDERALIST

Topic 1: If the legislature has the power to decide the time and place of elections, will they abuse that power?

(Note: This is actually a paraphrase by George Nicholas of the Anti-Federalist position offered in the debate.)

There is another objection which has been echoed from one end of the Continent to the other—that Congress may alter the time, place and manner of holding elections—that they may direct the place of election to be where it will be impossible for those who have a right to vote, to attend: For instance, that they may order the freeholders of Albemarle, to vote in the county of Princess Anne, or vice versa—or, regulate elections otherwise in such a manner as totally to defeat their purpose, and lay them entirely under the influence of Congress…. Congress might cause the elections to be held in the most inconvenient places, and at so inconvenient a time, and in such a manner, as to give them the most undue influence over the choice; nay, even (to) prevent the elections from being held at all, in order to perpetuate themselves.

In your own words:
FEDERALIST

Topic 2: Do we even need a new form of government, or are things fine under the Articles of Confederation?

Edmund Randolph: We want Government, Sir—A Government that will have stability, and give us security: For our present Government is destitute of the one, and incapable of producing the other… I therefore conclude, that the Confederation is too defective to deserve correction. Let us take farewell of it, with reverential respect, as an old benefactor. It is gone, whether this House says so, or not. It is gone, Sir, by its own weakness.

… My worthy friend (Mr. Henry) has expressed great uneasiness in his own mind, and informed us, that a great many of our citizens are also extremely uneasy, at the proposal of changing our government: But that a year ago, before this fatal system was thought of, the public mind was at perfect repose. It is necessary to inquire, whether the public mind was at ease on the subject, and if it be since disturbed: What was the cause; what was the situation of this country, before the meeting of the Federal Convention? Our General Government was totally inadequate to the purpose of its institution; our commerce decayed; our finances deranged; public and private credit destroyed: These, and many other national evils, rendered necessary the meeting of that Convention.

In your own words:

ANTI- FEDERALIST

Topic 2: Do we even need a new form of government, or are things fine under the Articles of Confederation?

Patrick Henry: I consider myself as the servant of the people of this Commonwealth, as a centinel over their rights, liberty, and happiness. I represent their feelings when I say, that they are exceedingly uneasy, being brought from that state of full security, which they enjoyed, to the present delusive appearance of things. A year ago the minds of our citizens were at perfect repose. Before the meeting of the late Federal Convention at Philadelphia [the Constitutional Convention], a general peace, and an universal tranquillity, prevailed in this country but since that period they are exceedingly; uneasy and disquieted.

In your own words:
FEDERALIST

Topic 3: Is the United States too large to be a republic?

Francis Corbin: The Honorable Gentleman has objected to the Constitution, on the old worn out idea, that a republican Government is best calculated for a small territory. If a republic, Sir, cannot be accommodated to an extensive country, let me ask, how small must a country be to suit the genius republicanism? In what particular extent of country can a republican Government exist? If contracted into as small a compass as you please, it must labour under many disadvantages. Too small an extent will render a republic weak, vulnerable, and contemptible—Liberty, in such a petty State, must be on a precarious footing;—its existence must depend on the philanthropy and good nature of its neighbours. Too large an extent, it is said, will produce confusion and tyranny. What has been so often deprecated will be removed by this plan. The extent of the United States cannot render this Government oppressive. The powers of the General Government are only of a general nature; and their object is to protect, defend, and strengthen the United States.

In your own words:

ANTI- FEDERALIST

Topic 3: Is the United States too large to be a republic?

George Mason: The General Government being paramount to, and in every respect more powerful than, the State governments, the latter must give way to the former. Is it to be supposed that one National Government will suit so extensive a country, embracing so many climates, and containing inhabitants so very different in manners, habits, and customs? It is ascertained by history, that there never was a Government, over a very extensive country, without destroying the liberties of the people: History also, supported by the opinions of the best writers, shew us, that monarchy may suit a large territory, and despotic Governments ever so extensive a country; but that popular Governments can only exist in small territories.

In your own words:
FEDERALIST

Topic 4: Will members of Congress have too much power?

Edmund Randolph: [Anti-Federalists claim that] ten Representatives [the number Virginians would have in the House of Representatives] will have no fellow-feeling for their constituents! Will not the people choose men of integrity, and of similar circumstances with themselves, to represent them? What laws can they make that will not operate on themselves and friends, as well as on the rest of the people? Will the people re-elect the same men to repeat oppressive legislation? Will the people commit suicide against themselves, and discard all those maxims and principles of interest and self-preservation which actuate mankind in all their transactions? Will the ten miles square transform our Representatives into brutes and tyrants? I see no grounds to distrust them.

In your own words:

ANTIFEDERALIST

Topic 4: Will members of Congress have too much power?

George Mason: There is one thing in it which I conceive to be, extremely dangerous. Gentlemen may talk of public virtue and confidence; we shall be told that the House of Representatives will consist of the most virtuous men on the Continent, and that in their hands we may trust our dearest rights. This, like all other assemblies, will be composed of some bad and some good men; and considering the natural lust of power so inherent in man, I fear the thirst of power will prevail to oppress the people.

In your own words:
FEDERALIST

Topic 5: Is it necessary for the Constitution to include a “Bill of Rights” that guarantees certain rights for citizens?

Edmund Randolph: Our privileges are not however in danger: They are better secured than any bill of rights could have secured them. I say that this new system shews in stronger terms than words could declare, that the liberties of the people are secure. It goes on the principle that all power is in the people, and that rulers have no powers but what are enumerated in that paper. When a question arises with respect to the legality of any power, exercised or assumed by Congress, it is plain on the side of the governed. Is it enumerated in the Constitution? If it be, it is legal and just. It is otherwise arbitrary and unconstitutional. Candour must confess, that it is infinitely more attentive to the liberties of the people than any State Government.

In your own words:

ANTI- FEDERALIST

Topic 5: Is it necessary for the Constitution to include a “Bill of Rights” that guarantees certain rights for citizens?

Patrick Henry: I trust that Gentlemen, on this occasion, will see the great objects of religion, liberty of the press, trial by jury, interdiction of cruel punishments, and every other sacred right secured, before they agree to that paper [The Constitution]. These most important human rights are not protected by that section [Section 9], which is the only safeguard in the Constitution.—My mind will not be quieted till I see something substantial come forth in the shape of a Bill of Rights.

In your own words:
FEDERALIST

Topic 6: Will having a standing army be dangerous to liberty or protect it?

James Madison: The power of raising and supporting armies is exclaimed against, as dangerous and unnecessary. I wish there was no necessity of vesting this power in the General Government. But suppose a foreign nation to declare war against the United States, must not the general Legislature have the power of defending the United States? Ought it to be known to foreign nations, that the General Government of the United States of America has no power to raise or support an army, even in the utmost danger, when attacked by external enemies? Would not their knowledge of such a circumstance stimulate them to fall upon us? If Sir, Congress be not invested with this power, any powerful nation, prompted by ambition or avarice, will be invited, by our weakness, to attack us; and such an attack, by disciplined veterans, would certainly be attended with success, when only opposed by irregular, undisciplined militia.

In your own words:

ANTI-FEDERALIST

Topic 6: Will having a standing army be dangerous to liberty or protect it?

Patrick Henry: It is urged by some Gentlemen, that this new plan will bring us an acquisition of strength, an army, and the militia of the States: This is an idea extremely ridiculous: Gentlemen cannot be in earnest. This acquisition will trample on your fallen liberty: Let my beloved Americans guard against that fatal lethargy that has pervaded the universe: Have we the means of resisting disciplined armies, when our only defence, the militia is put into the hands of Congress?... Some minds are agitated by foreign alarms: Happily for us, there is no real danger from Europe; that country is engaged in more arduous business; from that quarter there is no cause of fear: You may sleep in safety forever for [i.e., from] them. Where is the danger? If Sir, there was any, I would recur to the American spirit to defend us;—that spirit which has enabled us to surmount the greatest difficulties: To that illustrious spirit I address my most fervent prayer, to prevent our adopting system destructive to liberty.

In your own words:
FEDERALIST

Topic 7: Does the President have too much power?

Edmund Randolph: We are told that the President can fix himself in the chair of State—establish himself a monarch—and destroy the liberties of the people. It has too often happened, that powers delegated for the purpose of promoting the happiness of a community, have been perverted to the advancement of the personal emoluments of the agents of the people; but the powers of the President are too well guarded and checked to warrant this illiberal aspersion.

In your own words:

ANTI- FEDERALIST

Topic 7: Does the President have too much power?

Patrick Henry: This Constitution is said to have beautiful features; but when I come to examine these features, Sir, they appear to me (horridly) (horribly) frightful: Among other deformities, it has an awful squinting; it squints towards monarchy: And does not this raise indignation in the breast of every (true) American? Your President may easily become King… If ever he violates the laws, one of two things will happen: He shall come at the head of his army to carry every thing before him; or, he will give bail, or do what Mr. Chief Justice will order him. If he be guilty, will not the recollection of his crimes teach him to make one bold push for the American throne?

In your own words:
FEDERALIST

Topic 8: Will the Constitution giving the federal government the power to tax destroy state sovereignty?

Francis Corbin: But an objection is urged against this Government, because of its power of laying direct taxes. Let me ask the Honorable Gentleman who opposes it on this ground, if he reflects whether this power be indispensable or not? Sir, if it be not vested with the power of commanding all the resources of the States when necessary, it will be trifling. Wars are as much (and more) carried on by the length of the purse, as by that of the sword. They cannot be carried on without money. Unless this power be given to Congress, foreign nations may crush you.

In your own words:

ANTI- FEDERALIST

Topic 8: Will the Constitution giving the federal government the power to tax destroy state sovereignty?

George Mason: Whether the Constitution be good or bad, the present clause clearly discovers, that it is a National Government, and no longer a confederation. I mean that clause which gives the first hint of the General Government laying direct taxes. The assumption of this power of laying direct taxes, does of itself, entirely change the confederation of the States into one consolidated Government. This power being at discretion, unconfined, and without any kind of controul, must carry every thing before it. The very idea of converting what was formerly confederation, to a consolidated Government, is totally subversive of every principle which has hitherto governed us. This power is calculated to annihilate totally the State Governments... The General Government being paramount to, and in every respect more powerful than, the State governments, the latter must give way to the former... Why leave the manner of laying taxes to those, who in the nature of things, cannot be acquainted with the situation of those on whom they are to impose them, when it can be done by those who are well acquainted with it?

In your own words: