Comparing and Contrasting Federalists and Anti-Federalists

After the Articles of Confederation was found to be ineffective in governing the country, the Founding Fathers came up with a brand new Constitution to figure out how the government should be run. BUT not everyone agreed with the Constitution.

The Federalists were the people who supported the new Constitution. They argued that the Constitution did not give **Congress (the Legislative Branch)** too much power and that they couldn’t write laws to hurt the people. The Federalists said that there were specific things that Congress couldn’t do. They couldn’t punish people for breaking laws before they were written (expost facto), and they couldn’t write laws saying that a person or group was guilty of a crime even without a judicial process (Bill of Attainder). If a person was accused of a crime, they still had a right to appear before a judge (writ of habeus corpus).

When it came to the new role of the **Executive (President)**, Federalists argued that the checks and balances in the Constitution meant that the President couldn’t have too much power. There was no danger of a President becoming a tyrant. They also said when it came to **the judicial branch**, that people would still be protected since the national court system is only responsible to the Constitution.

They did not agree that the Constitution made the **states** too weak. They argued that Congress (Senate and House of Reps – Legislative Branch) is linked to the people. The Senate had equal representation when it came to making laws so big states didn’t always get their way and the House of Representatives was directly elected by the people. The people of each state could choose their representatives.

They also believed that a **Bill of Rights** to protect the people was unnecessary because checks and balances kept things in line. It was impossible for one branch to be too powerful. They also believed that if you have to make a list of rights, you might actually limit rights to *only* that list.

**The Federalists were led by James Madison, John Jay and Alexander Hamilton**. They also believed in a **Loose Construction (Interpretation)**. This meant that they believed that if the Constitution *didn’t* say you couldn’t do something, it could be done!

Comparing and Contrasting Federalists and Anti-Federalists

After the Articles of Confederation was found to be ineffective in governing the country, the Founding Fathers came up with a brand new Constitution to figure out how the government should be run. BUT not everyone agreed with the Constitution.

The Anti-Federalists were against the Constitution (remember “A” for anti and “A” for against). They believed the Constitution gave too much power to **Congress (Legislative Branch)** because of the “necessary and proper clause.” This clause said that Congress could do whatever was necessary to make laws for the country, and that this gave Congress too much power. The Anti-Federalists believed the part of government responsible for making laws wasn’t close enough to the people. They also believed that it was too easy for one **Executive (President)** to become a tyrant with too much power. They believed he would not have to directly answer to the people.

When it came to the **Judiciary Branch**, the Anti-Federalists were afraid that a powerful Federal Court would overtake the state courts. They believed that **strong state governments** were necessary to keep government close to the people, or the governed.

The Anti-Federalists also wanted a **Bill of Rights** to be included to ensure equality for all citizens and reinforce natural rights (rights the government can’t take away).

**They were led by George Mason, Mercy Otis Warren, and Patrick Henry**. They believed in **Strict Construction (Interpretation)** of the Constitution – this meant that if the Constitution did not directly state that something was allowed, it was *not* allowed.