

3/2/04 Student Lecture Notes

Debating the Constitution

- Federalist Papers were a response to a series of Anti-Federalists papers; published in New York newspapers.
  
- 2 Main issues divided the delegates at the Constitutional Convention
  - popular sovereignty and citizenship rights rest with nation (i.e., central government) or with the states
  - whether (and how) Constitution should address slavery
  
- Background
  - Articles of Confederation
    - Strained by rapid economic growth – lack of coordination on commercial matters
    - Too weak to command compliance of member states
  - Philadelphia Convention
    - Delegates divided philosophically, by region – larger, middle Atlantic states v. smaller, southern and northern states
    - Federalists: well-traveled, educated, more worldly in focus
    - Anti-Federalists: more populists; state-centered; parochial
  
- Constitution's republicanism:
  - Framers did not define republicanism, but did dismiss idea that small republics were necessary; disputed literal reading of Montesquieu;
  - Question of state sovereignty not ultimately determined by Constitution
  - Anti-Federalists worried about centralization of power and corruption
    - Federalist reply: Madison's idea that elected leaders would serve as a filter (e.g., appointed judiciary, Electoral College)
    - Jay: homogenous population
  
- Constitution's liberal nationalism:
  - Framers sought to:
    - secure individual rights; protection of property rights
    - promote commerce
    - draw a distinction between "persons," not citizens
    - establish a liberal national citizenship
  - Constitution does not:
    - change status of women
    - resolve future of slavery

· Bill of Rights: reaffirmed liberal nature of Constitution.