

KindAPUSH
Ratification Debate

Name _____

| | Federalists | Antifederalists |
|-----------------------------|---|--|
| Republicanism | Size & Diversity of America was a reality; multitude of factions could be used to nation's advantage. No single faction could dominate, overturn status quo. | Could only work in small, homogeneous communities where civic virtue was insured. Nations could not be republics, only states. |
| Federalism | Clear need for more centralized authority, especially in areas of economics & foreign powers. Enumerated powers clearly defined strength of national government. Though Constitution is highest law of the land (Supremacy Clause), did not preclude state legal systems. | Power to Tax, Standing National Army, Necessary & Proper Clause, and Supremacy Clause placed the tools of tyranny in the hands of the national government. |
| Separation of Powers | Clear separation of certain powers between branches, but total separation would be harmful. Mixing of powers, Checks & Balances, serves to strengthen purpose of Separation of Powers. | The Separation of Powers is superficial at best; each branch has too much incentive to collude with other branches. |
| Executive Branch | The role of president too important to open up to just anyone; need for continuity & independence in foreign affairs; role as administrator. | Too much like a monarch. Term too long, endless possibility for re-election, indirect election. Some powers—judicial appointment for life, pardons, etc.—too sweeping. |
| Legislative Branch | Each body serves a specific purpose; therefore, election process, qualifications, and terms appropriate. Size of each body is appropriate to respective powers. | No rotation in office, each Congressman represented too large a population, and possibility of aristocracy too high. |
| Judicial Branch | Judiciary the least powerful, dangerous branch of government, lifetime tenures guarantee independence, and body of Constitution forbids worst judicial abuses— <i>ex post facto</i> laws, writs of assistance, etc. | No guarantees of trial by jury, due process rights not protected, and questions concerning how independent the judiciary could be—both too independent and not independent enough. |
| Bill of Rights | Basic rights are protected by the very structure of government created by the Constitution. Protections against the abuses of government most important. Writing down rights limits rights. | Most rights—speech, press, religion, etc.—nowhere in body of Constitution. Individual Liberties had to be protected from all abuses. Writing down rights is the only way to guarantee them in a constitutional form of government, a lesson learned from Revolution. |