If at first you don’t succeed...  

Today’s United States government is actually a second attempt at nation building after the Revolutionary War. The first was organized under an agreement among the states called the Articles of Confederation. It created a structure with a very weak central government, leaving individual states to hold most of the power. Delegates from each state would participate in the Congress of the Confederation—the only branch of the central government. There was no way to enforce the laws this congress wrote, nor was there any taxing power. No money meant no military for common defense. Depending on the kindness and generosity of each independent state government didn’t result in much cooperation, and the young nation found itself floundering.

Try, try again!  

In 1787, the second round of nation building began in Philadelphia at the Constitutional Convention. Rather than following the plan to fix the Articles, they decided to start from scratch. Three branches were proposed rather than one, and the central government became a power in its own right. States still had powers, but not like before. Although representatives from 12 of the 13 states participated in the drafting of the Constitution, ratification was by no means guaranteed. The rules stated that conventions in each of at least 9 of the 13 states needed to approve of the Constitution before it could become law. Those state conventions were made of “the people” and the people had to be convinced.

Rallying Ratifiers  

Since we know how the story ends (spoiler alert: the Constitution was ratified in 1788), it’s easy to look past how much drama and debate surrounded the newly proposed Constitution. Each state had its own reasons to support or oppose the new Constitution, but New York’s debate fueled the best record we have of the reasons behind both sides. Anonymous letters to newspapers made arguments that were reprinted outside of the state, and discussed as widely as news could travel.

Try to imagine a comment thread, like we have today, where people debate online—only in 1787 this back and forth was drawn out over weeks and months. Supporters of the Constitution made a claim, opponents responded and added to the conversation, with supporters responding in turn. This slow motion “chat” has given us a unique insight into the ideas behind both sides of the ratification debate and a better understanding of how our government developed in its early years.
The Federalist Debate

In This Corner: The Federalists

Supporters of the Constitution called themselves Federalists, and the collection of arguments for ratification is referred to as The Federalist Papers. James Madison, Alexander Hamilton, and John Jay worked together under the fake name ‘Publius’ to create the 85 essays. Each one is numbered and addresses a different aspect, concern, or strength of the Constitution.

Generally, the Federalists argued that the government powers outlined in the Constitution were necessary to protect liberty and solve the problems experienced under the Articles of Confederation. Under the new Constitution, states were expected to give up some power for the good of the nation. They believed that the new plan did a fine job at outlining and limiting the powers of the new central government, and it reserved many powers for the states. Keeping it simple, the Constitution said what it needed to say about how things would work.

Constitution + Bill of Rights = Ratification

Looking back, both groups were right—just in their own ways. The Federalists were focused on addressing the failures of the Articles of Confederation and had firsthand experience in creating the new Constitution to do just that. (Both Madison and Hamilton were present at the Constitutional Convention.) The Anti-Federalists focused further back to when the 13 colonies had to throw off the rule of an unlimited and abusive English government. They saw the new Constitution as an over correction, one that threatened state rule and the personal freedoms for which the American Revolution was fought. Both views wanted to avoid a tyrannical government under the British, but they couldn’t agree on the best way to avoid it. Although the Federalists eventually won, the Anti-Federalists gained a small but important victory through the addition of the Bill of Rights.

In the Other Corner: The Anti-Federalists

Those opposed to the new Constitution, the Anti-Federalists, responded with their own series of letters and essays arguing that the Constitution was a threat to liberty. These authors did not coordinate their efforts, and a variety of aliases were used.

The Anti-Federalists believed that the new Constitution would give the central government all the important governing powers, leaving little for the states. They saw specific elements of the Constitution to be especially threatening. The “Necessary and Proper” and “Supremacy” clauses were seen as loopholes that would allow for the central government to take even MORE power than directly stated. Anti-Federalists writers argued for a greater effort to limit the powers of the new federal government, protecting those of the states and individual rights. This effort included the call for a national Bill of Rights.

The Necessary and Proper Clause allows Congress to make any law necessary to help carry out the powers given to the federal government listed by the Constitution.

The Supremacy Clause states that the Constitution and the federal laws take precedence over any conflicting state or local laws.

The New York vote for ratification was the closest of all the states, with the Federalists squeaking by with a win.