

## I. Federalism and the Compromise on Rights

1. The system of government the Founding Fathers created to unite the separate states is called “federalism.” A “federal” government is one where power is divided between a central government and multiple regional governments.
2. The driving force behind creating this government was the desire to secure individual rights, as stated in the *Declaration of Independence*, however, it also resulted in the continuation of slavery. The combination of these outcomes occurred in the following way:
  - a) To secure *individual rights*, the Founding Fathers had concluded in the Revolution, required *independence*—from England. (The mother country had shown that it would not respect the rights of the colonists, therefore they needed to create a separate country.)
  - b) To maintain *independence*, the Founding Fathers knew that the colonies must be *united*. History is full of examples of cultures that were ruined because separate groups of the same people refused to unite. (The ancient Greek city-states were one example. They had been conquered by Rome. The tribes of Europe were another. They had fought each other in countless wars. The founders were desperate to avoid such an outcome.)
  - c) To be *united*, the thirteen separate states would have to *compromise* over their differences. (Bargaining between people who disagree almost always requires compromise, where each side gets some of what they want, but not all. This approach is taken because without compromise, one is convinced that one will get even less.)
  - d) A *compromise* to create unity in the case of thirteen colonies (five of which had abolished slavery but eight of which still had slavery) required that *the inheritance of slavery be maintained* in the states that wanted it.
3. The chain of logic from *individual rights* — *to independence* — *to unity* — *to compromise* — *to slavery* created an unlikely and unsustainable contradiction between *rights and slavery*.
4. The Founding Fathers knew this contradiction was present. They knew they were creating a nation to secure individual rights, but *at the same time* allowing slavery to continue to exist within it.
5. To resolve the contradiction, they undertook various ways of bringing an end to slavery. In addition to the abolition of slavery in five states and the prohibition of slavery in the Northwest Territory, the constitution stated that the *slave trade* would only be protected until 1808, after which time, the federal government would seek to end it.

## J. Federalists vs. Anti-Federalists

1. Once the leaders of the separate states had accepted the Constitution they had to return to their states and convince the people to accept it as well.
2. Those who supported the Constitution were known as “Federalists” because they wanted a *federal* government. Those who opposed the Constitution were known as “Anti-Federalists.”
3. Patrick Henry was among the most famous Anti-Federalists. He believed that a large central government would always tend to attack people's rights.
4. The most famous Federalists were James Madison, John Jay, and Alexander Hamilton. Together they wrote many newspaper articles to defend the Constitution. These articles are now known as the “Federalist Papers.”

#### K. The Bill of Rights (1789)

1. Anti-federalists like Patrick Henry had argued that a federal government would eventually attack people's rights, so the Federalists had agreed to create a special set of additional laws that would insure that the government would be prevented from invading people's rights.
2. The first ten such additions, called "constitutional amendments," were written largely by James Madison, the "Father of the Constitution." They are known as the "Bill of Rights."
3. The first amendment says that the government cannot interfere with people's religious beliefs, their freedom of speech, or their right to assemble to protest the government's actions.
4. The second and third amendments say that the people may "bear arms" and that the government may not force them to keep soldiers in their homes.
5. The fourth amendment says that the government may not invade or seize people's property, except in very limited cases with the special permission of judge.