

BHS Book Reading List. May, 2024:

*The Federalist Papers*

For this, the fifth installment in our Book of the Month series, we're recommending an essential collection of essays that record one of the central debates in our nation's government; the Federalist Papers.

Written over 1787 and 1788, the Federalist Papers were meant to encourage citizens in the separate states to vote to ratify the United States Constitution.

Of course, the path to the Constitution we have today required a long series of proposals, debates, and compromises. That effort began on June 12th, 1776, when the Second Continental Congress resolved to appoint a committee of 13, with one representative from each colony, to prepare a draft of a constitution for a union of the states.

John Dickinson of Pennsylvania served as chairman of the Committee of 13. The result, the Articles of Confederation and Perpetual Union of the States, was completed on November 15th, 1777. Dickinson and his cohort achieved consensus by including language guaranteeing that each state retained its sovereignty. It established a unicameral legislature with limited and clearly delineated powers. Once written and passed by the Congress, the individual states had to ratify the instrument by popular vote. It would take over three years before the Articles were ratified by all 13 colonies, finally taking effect on March 1st, 1781.

But six years later, dissatisfied with their dispersed governing power, the Congress approved a Constitutional Convention to amend the Articles. Twelve states sent delegates; only Rhode Island declined. A quorum was achieved on May 25th, 1787. On September 17th, the Constitutional Convention signed the new Constitution and on September 28th, the Confederation Congress called for state ratifying conventions.

The first state to call for a ratifying Convention was Pennsylvania, with Rhode Island again declining to participate. Delaware ratified the new Constitution first, with Pennsylvania, New Jersey, Georgia, and Connecticut following close behind.

The conventions of Delaware, New Jersey, and Georgia voted for ratification unanimously. Pennsylvania and Connecticut and those that followed were more divided, with many offering amendments in the process.

The debate continued in the press, with various authors arguing for and against adopting the new governing document. Patriots of many stripes, eager to weigh in but wary of the risks they could face if publicly identified, took pen names to ensure anonymity. Writers "Cato," and "Brutus," for instance, took the anti-Federalist position, writing persuasively that the new constitution must be viewed skeptically.

In October of 1787, "Publius" wrote the first of the 85 Federalist Papers, promoting ratification of the strong federal government. Publius was the pseudonym shared by three Founding Fathers; Alexander Hamilton, James Madison, and John Jay. Their essays, addressed to the "Voters of New York," were published as a series in New York newspapers throughout 1787 and into the next year, and eventually published as a single volume in 1788, and distributed to the other states.

A noted thinker in the roiling debates over how best to design the new nation's laws, James Madison was perhaps the most prolific author of all those who contributed to the Federalist Papers. He was also a confidante of George Washington, who reviewed his friend's essays before publication.

Dissatisfied with the weak national government established by the Articles of Confederation, and then helped organize the Constitutional Convention. An influential voice at the Convention, Madison, with help from fellow Virginia delegate Edmund Randolph, devised what came to be called the Virginia Plan, and that framework served as the basis for the convention's deliberations. He became one of the leaders in the movement to ratify the Constitution.

In Federalist No. 39, Madison gives us a clear understanding of the nature of our "federalism"; in Federalist No. 51, he expounds on the arguments for checks and balances; in Federalist No. 78, Hamilton lays the groundwork for the doctrine of judicial review by federal courts of both federal legislation or executive acts; and in Federalist No. 70, Hamilton presents the case for a one-man chief executive.

During the 1790s, Madison aligned himself with Thomas Jefferson against the Federalist faction, who were led by John Adams and Hamilton. Later, he served as Secretary of State in Jefferson's cabinet, succeeding Jefferson as President in 1808.

Alexander Hamilton was a New Yorker, and had also been a close friend of George Washington during the Revolutionary War. Hamilton wrote over 50 of the essays in the Federalist. He became the first Secretary of Treasury in 1789, serving in Washington's cabinet.

John Jay, another New York native, drafted that state's first constitution in 1777, and was chosen president of the Continental Congress the following year. Shortly thereafter, Jay served as the key negotiator at the Treaty of Paris in 1783, which ended the American Revolutionary War and recognized the independence of the United States. Washington appointed Jay to the Supreme Court, where he served as the first chief justice in 1789.

In Federalist No. 1, Hamilton comments on the unique nature of the U.S. Constitution:

"It has been frequently remarked, that it seems to have been reserved to the people of this country, by their conduct and example, to decide the important question, whether societies of men are really capable or not, of establishing good government from

reflection and choice, or whether they are forever destined to depend, for their political constitutions, on accident and force.”

The Federalist Papers stand as a testament to the passions, spirited debate, and heady intellectual discourse that our nation’s founding charter arose out of, finally bore fruit as the remarkable document that has served as our Constitution for 235 years.