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The Debate Over Presidential Powers

The Federalist Papers and the Anti-Federalist papers were two series of essays that dispersed strong opinions about the proposed Constitution of 1787, a replacement for the very flawed Articles of Confederation. The Federalist Papers consisted of 85 essays written to defend the new Constitution as it was proposed. They were written by Alexander Hamilton, John Jay, and James Madison under the pseudonym of Publius. The papers were published in New York newspapers because New York was one of the most important states that the Federalists needed to convince in the ratification process. New York was so important because of its power. New York had the most power because because they had enough territory and a strong enough economy to support itself without a large federal government. The Federalists didn't want them to decide to take that route. New York, being so powerful, was a major asset to the ratification process of the proposed Constitution, and to America more generally. Virginia, another

important state to convince, was in a similar situation. The Anti-Federalist Papers were written by many anonymous authors such as Cato (likely George Clinton), Brutus (likely Robert Yates or Melancton Smith, or maybe John Williams), and Centinel (Samuel or George Bryan) along with many others.

All of the essays were written starting on September 25, 1787 and continued into the early 1790s. The most popular essays were a group of sixteen written from October, 1787 to April, 1788. The Anti-Federalist Papers were written to oppose the Federalist Papers and the Constitution they supported. Just like the Federalist Papers, the Anti-Federalist Papers were published in New York newspapers such as the *New York Journal*. Two such papers, one Federalist, one Anti-Federalist, are taken into consideration in this essay. They are about Presidential powers and are written by Cato and Publius. They are most commonly referred to as Cato number 5 and the Federalist number 67. As one can see, the two papers featured in this essay debate an issue that is still very much alive and relevant in America today.

The Anti-Federalist paper that has to do with the executive branch is Cato number 5. This paper's main point is that the

executive branch and the President would be too powerful. Cato was playing off of many people's fear of Monarchy because they had just fought a war to abolish the position of a King in America. It says in this paper "The President cannot represent you because he is not of your own immediate choice, that if you adopt this government, you will incline to an arbitrary and odious aristocracy or Monarchy that the President possessed of the power, given him by this frame of government differs but very immaterially from the establishment of Monarchy in Great Britain" (Cato 5). This is saying that the President can never really represent anyone because some people will have chosen him and some people will have voted against him or her. It is also saying that people might not have voted for a candidate because of the electoral college. In the electoral college, each vote counts for the state and not directly for the president. In addition, Cato 5 is saying that this government would be an Aristocracy or a Monarchy because the President and his friends would have power over everyone else. That could still be a Democracy, but someone who has power over everything is definitely not what this country wants. This paper also mentions how the Vice President is a pointless position because they don't really do anything. This is a valid point. All that the Vice President does is he becomes

President if the president dies, resigns, or is impeached and the Vice President had the deciding vote if there is a tie vote in the Senate. Those tie votes only happen once or twice a year. It would make more sense to have no Vice President. These are the main points of Cato number 5.

Federalist number 67, written by Hamilton, is a response to Cato number 5. Publius (The pseudonym that the Federalist Papers were written under), claims that the Anti-Federalists intentionally misinterpreted the Constitution to benefit themselves and prove their point. This paper states that the Anti-Federalists attempted to tap into the fears of a Monarchy that the people possess, and this Federalist Paper attempts to prove why the Anti-Federalists are wrong. As written by Publius, "It is impossible not to bestow the imputation of deliberate imposture and deception upon the gross pretense of a similitude between a King of Great Britain and a magistrate of the character marked out for that of the President of the United States." Publius says that to even attempt to compare the proposed position of President to the King of England is absurd. The president works with the rest of the government to make and enforce laws, he doesn't just order people around. The main point

of the Federalist number 67 is to to disprove Cato number 5. Hamilton seems to succeed, using valid points to prove that he is right. One example is when he sites and explains the language that describes the power bestowed in the President to nominate positions in government, and how it is a democracy, and how it is a fair system that doesn't give too much power to the President. Hamilton successfully retaliates to Cato, using valid and smart points.

We agree with the Federalists, and their position is the one that was ultimately adopted. Although Cato had a strong argument, Publius points out the faults of Cato's argument and proves them wrong using valid and more convincing evidence. Cato's main point is that the President will become similar to a King. This would be a problem because America had just fought a war to get rid of a King. Publius will have none of that. "Attempts so extravagant as these to disfigure or, it might rather be said, to metamorphose the object, render it necessary to take an accurate view of its real nature and form: in order as well to ascertain its true aspect and genuine appearance, as to unmask the disingenuity and expose the fallacy of the counterfeit resemblances which have been so insidiously, as well as

industriously, propagated." Cato is proved wrong when Publius explains how Cato is intentionally misinterpreting the Constitution. Cato is using the people's fear of Monarchy while showing the role of the President as a type of Monarch. He spread fake news about the Constitution to benefit himself. Cato is the founder of fake news. In fact, you could say that he was the founder of fake news. The last reason why the Federalists are correct is because we have seen the role of the presidency today, and it works and it's not a monarchy because the president does not have absolute power over anything. He works with the Legislative and Judicial branches to get things done.

The Federalist and Anti-Federalist papers are still relevant today because they show what actually happened in the fight over the constitution. They also show how the laws that exist today were formed. Cato #5 is tied very closely to the 2016 election. Cato #5 is one of the first examples of "fake news", if not the first, with Cato the creator of the concept. Publius points this out when he says, "I have taken the pains to select this instance of misrepresentation, and to place it in a clear and strong light, as an unequivocal proof of the unwarrantable arts which are practiced to prevent a fair and impartial judgment of the

real merits of the Constitution submitted to the consideration of the people]" in Federalist 67 and then he disproves Cato's fake news. Also, Federalist number 67 and Cato number 5 relate in to the topic of the electoral college because it is a question about the people having their voice heard. Although it is not as intense as Monarchy versus Democracy, this is the same type of issue. It is the issue of whether the people have a voice. The electoral college isn't a direct democracy, so it restricts the voice of some people, specifically those on the coasts. If there was no electoral college, the big coastal cities would run the elections. This would restrict the places in the middle of the country with a smaller population. The electoral college was formed to make sure the places with a smaller population can be heard. Similar as to in the debate in the papers we read, the debate is one of having a voice. Cato foresees this when he says "The President cannot represent you because he is not of your own immediate choice". In the electoral college, the President isn't chosen directly by the people and that is very relevant in the issues of the elections of 2000 and 2016, where Bush and Trump won without the popular vote. That issue of direct democracy still has debates waged over it today. The topics that were an issue in the late 1700's still exist today.

In conclusion, Federalist 67 and Cato 5 both fiercely debate about Presidential powers. They both make valid points, bring up issues that are fought about today, and even create some of the tactics used today, such as fake news. Cato brings up the electoral college and uses fake news which Publius won't take. Although both papers had logical and convincing points, Publius's points were adopted and Federalist 67 gets our vote.