

Madison and Federalist 10: Why Extrinsic Information Matters in Defining a System

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Abstract

In Federalist Paper Number Ten, Madison provided explanations and definitions that aid in defining the meaning of the Constitution of the United States of America. Many of the terms can be read widely and out of context without these documents. The necessity of defining meaning leads to the requirement to look to meaning through the definitions and explanations of founders and creators outside of the limited notion of an individual document. Without these additional terms, it can be argued that the Constitution provides nearly unlimited powers to the Federal government. With the explanation provided by Madison, this can be seen in its true sense of a limited system with checks and balances.

Keywords: Constitution, Federalist papers, Madison

I. The Federalist, No. 10

The American State Papers go well beyond the Constitution of the United States and the Declaration of Independence. To fully understand citizenship throughout the United States, it becomes essential to read the Federalist Papers.¹ These pieces of correspondence provide a source of understanding concerning the foundation of the American government and provide clarity and strength of prose. In addition, these works exemplify the political discourse conducted during the early days of the American Republic. In journalistic debates, newspaper readers between 1787 to 1789 could witness and contemplate the political debates and experience the erudition of their political leaders.²

The Federalist No. 10 was written by Madison to address the concept of political instability and faction that acts as a problem for any modern democracy.³ Yet, the rapid succession of government in France and the ongoing debates on whether the people could manage and govern a country democratically or whether politics would devolve into demagoguery remains a heated topic of debate even today.⁴ Such discourse formed the basis of the American form of government.⁵

While the Declaration of Independence is primarily the work of Thomas Jefferson, *The Federalist* papers combined the arguments of Alexander Hamilton, James Madison, and John Jay. The latter two authors contributed less than Hamilton, but these papers are critically important to the development of the American federal system. Madison was one of the

¹ **Error! Bookmark not defined.**

² Hoffer, *The Forging of the Union, 1781-1789*.

³ Schmitter and Karl, 'What Democracy Is... and Is Not'.

⁴ Innes and Philp, *Re-Imagining Democracy in the Age of Revolutions: America, France, Britain, Ireland 1750-1850*.

⁵ Gibson, 'Impartial Representation and the Extended Republic'.

essential framers of the Constitution.⁶ Each author signed the document as “Publius”, representing the collaborative efforts of each for their country.

Madison has been referenced as the “Father of the Constitution”.⁷ However, the role of the father can take both that of a scion or the individual taking charge and responsibility for the document.⁸ The last article in the Constitution required that nine of the thirteen states act the ratification, and once this occurs, it will go into effect in those nine states. New York was one of the last states to ratify the Constitution, only completing and ratifying this document in July 1788. The Federalist papers were written in New York newspapers to convince the voters in the state of New York to ratify the Constitution.

Between October 1787 and up till April 1788, there was opposition to the ratification of the Constitution led by Governor George Clinton. However, the promotion of *The Federalist* papers provided only a narrow margin of votes allowing the Constitution to be ratified by New York at a margin of 30 to 27. In part, some of the key framers of the American State Papers, including Thomas Jefferson, opposed the views of the Federalist writers. Jefferson believed that power and responsibility should be directly in the people's hands.⁹

The Federalist papers promoted a concept of safeguards against a majority of the people. In correspondence, Jefferson noted a different position from Madison:

*We both consider the people as our children, and love them with parental affection. But you love them exemptions who you are afraid to trust without nurses; and I as adults whom I freely leave the self-government.*¹⁰

⁶ Farrand, ‘Compromises of the Constitution’.

⁷ Brant, *James Madison: Father of the Constitution, 1787-1800*; Ulmer, ‘Charles Pinckney’.

⁸ Hobson, ‘The Negative on State Laws’.

⁹ Howe, ‘Republican Thought and the Political Violence of the 1790s’; Simon, *What Kind of Nation*.

¹⁰ Jefferson and Oberg, *The Papers of Thomas Jefferson, Volume 39: 13 November 1802 to 3 March 1803*.

Madison, however, feared pure democracy and demagoguery. In this, the concept of elected representatives and an Electoral College was promoted as a barrier from the emotional hysteria of the masses¹¹:

*refine and enlarge the public views by passing them through the medium of the chosen body of citizens, those whose wisdom may best discern the true interest of their country, and whose patriotism and love of justice will be least likely to sacrifice it to temporary or partial considerations.*¹²

Supporters of Jefferson and Madison argued the distinction between a representative or pure democracy.¹³ Madison was opposed to direct democracy and believed that the size and population of the United States created a scenario where this was impracticable.¹⁴ Moreover, in a Republican form of regulation and control;

*it may well happen that the public voice, pronounced by the representatives of the people, will be more consonant to the public good than if pronounced by the people themselves.*¹⁵

The Constitution is a balanced work containing both concepts. It seeks to balance the provision of power and responsibility, giving this to the people in a way that also guards against demagoguery and absolute mass control by a populist government.¹⁶ This balance gives the separation of powers and the bicameral agreements between Congress and the Senate. The Federalist papers provided the necessary argument that convinced enough people to ratify the Constitution.

¹¹ Dewey, 'Madison's Views On Electoral Reform'.

¹² Madison, 'Federalist Paper Number Ten'.

¹³ De Blasio and Sorice, 'Populism between Direct Democracy and the Technological Myth'.

¹⁴ Moormann, 'Idealistic but Unrealistic'; Horner, 'The Electoral College of the United States of America'.

¹⁵ Madison, 'Federalist Paper Number Ten'.

¹⁶ Smith, *The Spirit of American Government*.

II. Madison and a Repose

In Federalist 10, Madison addressed the dilemma as follows:

*[C]omplaints are everywhere heard from our most considerate and virtuous citizens, equally the friends of public and private faith, and of public and personal liberty, that our governments are too unstable, that the public good is disregarded in the conflicts of rival parties, and that measures are too often decided, not according to the rules of justice and the rights of the minor party, but by the superior force of an interested and overbearing majority.*¹⁷

In writing against the currently accepted structure of party factions, Madison argued that the malfunctioning of government derives from factional groups of citizens who align to control the government, not for the common good, but for the special needs and interests of a limited group of people.¹⁸ Two options are provided to prevent the takeover of the government by parties. These are to either (1) eliminate the cause and condition of party politics or (2) manage and limit the efficacy of such a party.

Divisions and party politics were argued to be unnecessary where every citizen maintains “the same opinions, the same passions, and the same interests”.¹⁹ Such an outcome is infeasible. Without the means to limit party factions, Madison argued that the people would lead the government into “destroying the liberty which is essential to its existence”.

It could never be more truly said than of [the current] remedy, that it was worse than the disease. Liberty is to faction what air is to fire, an element without which it instantly expires. But it could not be less folly to abolish liberty, which is essential to political life,

¹⁷ Madison, ‘Federalist Paper Number Ten’.

¹⁸ Farrand, ‘Compromises of the Constitution’.

¹⁹ Madison, ‘Federalist Paper Number Ten’.

*because it nourishes faction, then it would be to wish the annihilation of our, which is essential to animal life, because it imparts fire to its destructive agency.*²⁰

Through this argument, Madison promotes the concept that factions and parties will naturally be with us, and as a consequence, we must find methodologies to control and limit the power and scope of what actions may achieve.²¹ Factions aim at their own rather than the common good.²² Such a party or faction is only truly antithetical to democratic control when it becomes the ruling power through popular or demagogic government. When this occurs, the majority may rule and achieve its own selfish ends outside of the control and limitations imposed through opposition.

It is for this reason that Madison includes a proposal that parties or factions should not become a ruling power within government:

*It may be concluded that a pure democracy, by which I mean a society consisting of a small number of citizens, who assemble and administer the government in person, can admit of no cure for the mysteries of faction. A common passion or interest will, in almost every case, be felt by a majority of the whole; communication and concert result from the form of government itself; and there is nothing to check the inducements to sacrifice the weaker party or an obnoxious individual. Hence it is that such democracies have ever been spectacles of turbulence and contention.*²³

A Republican and not wholly democratic form of government is argued to be the freest and most liberal option. Here, Madison notes that “the two great points of difference between a democracy in the Republic”²⁴ derive from two primary elements:

²⁰ Madison.

²¹ Melé, ‘Integrating Personalism into Virtue-Based Business Ethics’.

²² Crosby and Bryson, *Leadership for the Common Good*.

²³ Madison, ‘Federalist Paper Number Ten’.

²⁴ Madison.

*First, a delegation of the government, in the latter, to a small number of citizens elected by the rest; secondly, a greater number of citizens, and a greater sphere of country, over which the latter may be extended.*²⁵

Madison saw politicians as a statesman and not merely the mouthpiece of the people. In this, these individuals would recognize the common good and interest of the nation above the faction, party or individual. In this distinction, the statesman represented the Roman senator.²⁶ Through this, the distinguished politician would represent the people better than they could themselves. Madison also believed in the benefits of a larger Federal union. This union is argued to withstand the ills and problems that may be suffered in dealing with the world better than a disjoint or small nation.

*Extend this fear, and you take in a greater variety of parties and interests; you make it less probable that the majority of the whole will have a common motive to invade the rights of other citizens; or if such a common motive exists, it will be more difficult for all who feel it to discover their own strength, and to act in unison with each other.*²⁷

The separation of powers of government forms the primary premise behind the Constitution of the United States. No faction, no component of the government should become too powerful and have sufficient power to override the other. These ideas follow the doctrines of Locke²⁸ and Montesquieu²⁹. Madison references Montesquieu³⁰ in *The*

²⁵ Madison.

²⁶ Gummere, 'The Classical Ancestry of the United States Constitution'.

²⁷ Madison, 'Federalist Paper Number Ten'.

²⁸ Gencer, 'Sovereignty and the Separation of Powers in John Locke'; Ratnapala, 'John Locke's Doctrine of the Separation of Powers'.

²⁹ Brand, 'Montesquieu and the Separation of Powers'; Hazo, 'Montesquieu and the Separation of Powers'; Destutt de Tracy, *A Commentary and Review of Montesquieu's Spirit of Laws*.

³⁰ Rotella, 'Montesquieu and the Federalist. A Research Note on Federalist Forty-Seven'.

Federalist No. 47. However, the authorship of paper number forty-seven is disputed and has been for some time.³¹ In *The Spirit of the Laws*, Montesquieu notes:

when the legislative and executive powers are united in the same person, or the same body of magistrates, there can be no liberty; because apprehensions may arise, lest the same monarch or Senate should enact tyrannical laws, to execute them in a tyrannical manner.

*Again, there is no liberty, if the judiciary power cannot be separated from the legislative and executive. Were joined with the legislative, the life and liberty of the subject would be exposed to arbitrary control; for the judge would be then the legislator. Were joined to the executive power, the judge might behave with violence and oppression.*³²

Madison in *The Federalist* No. 47. A crease on the importance of this point:

*One of the principal objections inculcated by the more respectable adversaries to the Constitution is its supposed violation of the political maxim, that the legislative, executive, and judicial departments ought to be separate and distinct.*³³

For these reasons, the mix and separation of government powers created a series of checks and balances that led to the ratified Constitution. In this, it is the self-interest of the citizens of a nation that is seen to coincide with the separation of powers across government. It is the private ambition that keeps each party and each section in check, for:

if men were angels, no government would be necessary. If angels were to govern men, neither external nor internal controls on government would be necessary. In framing a government which is to be administered by men over men, the great difficulty lies in this;

³¹ Adair, 'The Authorship of the Disputed Federalist Papers'.

³² Montesquieu, *Montesquieu*.

³³ Madison, 'Federalist Paper Number Forty Seven'.

*you must first enable the government to control the governed; and in the next place oblige it to control itself.*³⁴

III. Conclusion

Madison believed that the Constitution can be constructed so that the evils of party factions can be avoided. As a consequence, he concludes the tenth paper by stating:

*In the extent and proper structure of the union, therefore, we behold a Republican remedy for the diseases most incident to Republican government.*³⁵

Hamilton forms a similar opinion noting that “there have been almost as many popular as Royal Wars”. It must be remembered that the only method of maintaining peace is to unite states across a common government. As Abbe de Mably stated and to which Hamilton had quoted,

*neighbouring nations are naturally enemies of each other unless the common weakness forces them into a league and a Confederate Republic, and their Constitution prevents the differences at neighbourhood occasions, extinguishing that secret jealousy which disposes of all states to aggrandize themselves at the expense of the neighbours.*³⁶

³⁴ Redish and Cisar, ‘If Angels Were to Govern’; Madison, ‘The Federalist Papers: No. 51’.

³⁵ Madison, ‘Federalist Paper Number Ten’.

³⁶ Mably, *Collection complète des œuvres de l’Abbé de Mably. (Œuvres posthumes.)*; O’Hara, ‘Aristocratic and Confederate Republicanism in Hamiltonian Thought and Practice’.

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