REVIEW AND TEST QUESTIONS

MULTIPLE CHOICE

1. The chapter introduction discusses the dilemma of citizens identifying with state and nation after the Revolution to make the point that:
   a. No one immediately after the Revolution had a sense of identity or loyalty toward the nation, so it was predictable that the new United States would be politically decentralized.
   b. Because of the Revolution, most felt a sense of identity and loyalty with the united cause, but political jealousies prevented a strong governmental structure until the crises of the 1780s forced the politicians to act.
   c. Americans created one kind of united government with the Declaration of Independence; needing a better union, they overwhelmingly supported the new Constitution.
   d. Americans had to experiment to find a way to create a united republic that confronted the realities of separate identities and inequalities.
   
   (pp.196-197)

2. The Constitution represented the triumph of compromise, and Americans who accepted the Constitution had to change many of their basic beliefs about government. These included all the following EXCEPT:
   a. the assumption that republics were best suited to small geographic areas.
   b. the preoccupation with severely limiting executive power.
   c. the instinct to give ultimate loyalty and sovereignty to one’s own state.
   d. the ability of free citizens to govern themselves through disinterested representatives.
   
   (pp. 196-197)

3. When peace was restored in the 1780s, Americans were forced to face some unanswered questions raised by their revolution. These included all the following EXCEPT:
   a. Could the individual states establish treaties and agreements with foreign countries, excluding the other states?
   b. Would the lands in the West eventually become part of the United States, and how would this take place?
   c. Would factions and self-interest groups pull the states apart and make union impossible?
   d. What forces and issues united the very different types of people who populated the new states?
   e. All the above are included.
   f. None of the above are included.
   
   (pp. 198-200)

4. The constitutions written by the states provided several important precedents for the later federal system created by the Constitution of 1787; one of the most important was the principle of:
   a. a weak executive.
   b. county divisions within a state structure.
   c. direct popular rule.
   d. creating a written document as supreme law.
   
   (pp. 204-205)

5. Following the revolution, while most states did not alter the basic structure of their governments, they did alter the balance of power among the different branches of government. They did all the following EXCEPT:
   a. severely restricted the power of the governor or abolished the office completely.
   b. significantly strengthened the powers of the state legislatures.
   c. insisted on written state constitutions.
   d. abolished the state legislative assemblies.
   
   (pp. 204-205)
6. The first state constitutions tried to make the government accountable to the people through:
   a. annual elections and representation by district.
   b. elections by secret ballot and representation of each social group.
   c. restricting executive power and requiring a popular referendum for tax bills.
   d. itemizing rights and prescribing virtual representation.

   (pp. 204-205)

7. America’s first governing document was called:
   a. the Articles of Confederation.
   b. the Constitution.
   c. the Bill of Rights.
   d. the Jefferson Doctrine.

   (p. 206)

8. The Articles of Confederation provided for a government by:
   a. national legislature.
   b. national executive.
   c. judicial authority.
   d. all of the above.

   (p. 206)

9. What is the best description of the United States of America under the Articles of Confederation?
   a. an integrated republic with a decentralized structure of national government
   b. 13 independent state republics loosely joined together under a virtually powerless representative body
   c. a political system functioning like a corporate conglomerate with 13 wholly owned subsidiary companies
   d. 13 independent nations affiliated in a defensive alliance, like today’s NATO

   (pp. 206-207)

10. Weaknesses of Congress under the Articles of Confederation included all EXCEPT:
    a. it could not levy taxes or regulate trade.
    b. it could not declare war or regulate Indian affairs.
    c. it could not enforce its own resolutions.
    d. its structure meant that national leadership was marked by weakness and discontinuity.

    (pp. 206-207)

11. The two most pressing problems for the new nation, which neither the states nor the Confederation Congress could solve, were:
    a. divisions between the states and border disputes with Britain and Spain.
    b. slavery and the Indian question.
    c. republicanism and federalism.
    d. political ineffectiveness and the need to industrialize.

    (pp. 206-207)

12. The young United States confronted strong challenges from which foreign powers at its borders?
    a. the Spanish and British
    b. the French to the west
    c. the Dutch to the north
    d. the French in the West Indies

    (pp. 207-208)

13. Immediately after the Revolution, the United States began to have difficulties with Spain. The disputes related to the boundaries of Florida and:
    a. ownership of Cuba.
    b. the boundaries of Texas.
    c. navigation rights on the Mississippi.
    d. illegal trade with Spanish colonies.

    (pp. 207-208)
14. One of the chief controversies that delayed initial ratification of the Articles of Confederation turned out to be the one area of substantial achievement by the Confederation Congress. This related to:
   a. Indian policy.
   b. slavery.
   c. western lands.
   d. location of the national capital.
   (pp. 209-210)

15. The Northwest Ordinance, which established a basis for territorial government for lands between the Ohio River and the Great Lakes, included all of the following provisions EXCEPT:
   a. freedom of religion.
   b. protection of civil and political rights for Indians.
   c. encouragement of education.
   d. eventual creation of three to five new states.
   (pp. 210-212)

16. Which of the following is NOT a true statement concerning African Americans following the Revolution?
   a. The number of blacks in slavery declined.
   b. Communities of free blacks grew in numbers and health.
   c. Most northern states abolished slavery by law either immediately or gradually.
   d. On balance, the Revolution brought few changes to the status of most African Americans.
   (pp. 206-207)

17. Which of the following is the most accurate statement describing the nature and extent of changes in American society brought about by the revolution?
   a. The Revolution did not cause a massive restructuring of American society, but political institutions rooted in a commitment to equality and liberty made change in the future easier.
   b. The Revolution did not cause a massive restructuring of American society, and the new political institutions, with their half-hearted commitment to equality and liberty, were not strong enough to produce much future change either.
   c. The Revolution produced a substantial restructuring of American society, but the original commitment to equality and liberty was soon reversed.
   d. The Revolution produced no substantial changes in American society, either immediately after the Revolution or in the future.
   (pp. 208-210)

18. In American society after the Revolution, people believed more and more in ____________, while in reality many parts of society were becoming ____________.
   a. religion; secular
   b. capitalism; neo-feudal
   c. equality; unequal
   d. reforming society; complacent about the Republic’s future
   (pp. 208-210)

19. One result of the harsh treatment of loyalists during and following the Revolution was:
   a. Most of the urban merchant class was lost.
   b. Revolutionary governments demonstrated their commitment to justice even toward those who disagreed.
   c. The British army shrank in numbers.
   d. New opportunities were created for enterprising “patriots” to move up the ladder of wealth and influence.
   (pp. 208-210)

20. After the Revolution, women in America gained:
   a. greater property rights.
   b. the right to make wills and contracts.
   c. the right to vote.
   d. in literacy.
   (pp. 210-212)
21. The Society of Cincinnati, a veterans’ club for former Continental Army officers, attracted criticism because:
   a. it advocated the education of women in the West.
   b. It was perceived as aristocratic.
   c. it advocated abolishing slavery.
   d. it constituted a federal standing army in the Ohio Valley.
   (p. 212)

22. What was the most important result of the uprising of western Massachusetts debtor farmers led by Daniel Shays?
   a. It supported the belief that the people should take the law into their own hands.
   b. It proved that the country’s revolutionary spirit was still alive.
   c. It gave crucial momentum to the growing movement to strengthen the national government.
   d. It prompted the Massachusetts legislature to ratify the Constitution.
   (pp. 215-216)

23. The most significant reform of the republican campaign against artificial privilege was:
   a. the dismantling of state-supported churches.
   b. the elimination of inheritance taxes.
   c. the elimination of inherited political privilege.
   d. none of the above.
   (p. 212)

24. Which of the following leaders shaped the framing of the federal Constitution more than anyone else?
   a. George Washington
   b. James Madison
   c. Thomas Jefferson
   d. Alexander Hamilton
   (pp. 216-217)

25. The delegates to the Constitutional Convention, though from 12 different states, had two important things in common. These were:
   a. they were men with a great deal of political experience who all favored weakening the central government.
   b. they were all relatively inexperienced politically and they favored establishing a constitutional monarchy.
   c. they were all former loyalists who also favored establishing strong ties with Great Britain.
   d. they were all men of considerable political experience who recognized the need for a stronger national union.
   (pp. 217-218)

26. The Constitutional Convention deadlocked until it could find a compromise solution to the issue of:
   a. whether to keep or discard the Articles.
   b. whether there was truly a need for a stronger national government.
   c. representation in Congress.
   d. powers of the executive.
   (pp. 217-219)

27. The Federalist Papers presented strong and convincing arguments in favor of:
   a. adopting the Constitution of 1787.
   b. keeping the Articles of Confederation.
   c. creating a unitary form of government.
   d. becoming a federated unit within the British empire.
   (pp. 219-220)
Chapter 7: Crisis and Constitution

28. How did James Madison imagine that a federal republic with a strong central government might work, especially one that governed such a vast land area as the United States?
   a. He simply believed that a strong central government would lead to tyranny and was therefore against it.
   b. He believed that a strong central government would have to be opposed by a well-organized opposition party.
   c. He believed that various interests and factions would cancel each other out in a large republic, and that virtuous national leaders would govern on behalf of all the people.
   d. He believed that he would be forced to run for President in order to save the union.
   (pp. 219-220)

29. In the debates over ratification, a major fear of the Anti-Federalists was that:
   a. the most powerful groups in society would dominate, and eventually rule in a corrupt and arbitrary fashion.
   b. the common people would have too much control over the government.
   c. elected officials would be too narrowly and directly concerned with the interests of their own constituents, rather than the nation as a whole.
   d. poorer groups would be favored over the more substantial citizens in society
   (pp. 219-221)

30. In the debates over ratification, the Federalists argued that the Constitution:
   a. would solve the immigration problems of the nation.
   b. was merely a temporary means to regain stability.
   c. would protect the nation from itself by providing a system of checks and balances.
   d. safeguarded individual freedoms through its built-in Bill of Rights.
   (pp. 219-221)

IDENTIFICATION QUESTIONS

Students should be able to describe the following key terms, concepts, individuals, and places, and explain their significance:

Terms and Concepts

new state constitutions          bicameral legislature
Articles of Confederation        landed and landless states
Northwest Ordinance of 1787      manumission
“the peculiar institution”       republican motherhood
The Federalist Papers            disestablishment
Society of Cincinnati            Jay-Gardoqui Treaty
Shays' Rebellion                 Constitutional Convention
Annapolis Convention             New Jersey Plan
Virginia Plan                    Antifederalism
Bill of Rights                   land speculation
written and unwritten constitutions

Individuals and Places

Montesquieu                      Cumberland Gap
David Hume                       Patrick Henry
James Madison                    Benjamin Rush
Alexander Hamilton               Judith Sargent Murray
John Jay

CONCEPT QUESTIONS:

1. The historian Frederick Jackson Turner argued that the American frontier was a “safety valve” that, by siphoning off surplus population from settled areas and providing families with land and employment, reduced social and political conflict. Does the history of the West during the Confederation period confirm or disconfirm Turner’s “frontier thesis?”
2. The United States Constitution of 1787 has been called a bundle of compromises. Define the word compromise, then illustrate how the following groups compromised during the constitutional convention and beyond.

- Anti-Federalists and Federalists
- Large populated states vs. small populated states
- Slave holding states vs. non-slave holding states

3. What concepts of equality directed the actions of revolutionary leaders? Why did they stop short of extending equality to a full range of all Americans? What goals of equality did they pursue?

4. “The Revolution gave rise to a new sense of social identity and a new set of ambitions among several groups who had once accepted a humbler status.” Explain how that happened by discussing the following groups: westerners, urban artisans, and women.

5. Debate the following statement (be sure to look at the complexity of the issue) using evidence from lecture/notes: After examining the fact that the Articles of Confederation were scrapped at Philadelphia, it seems plausible that the Confederation government in action was therefore worthless.

AP ESSAY:
1). The United States Constitution of 1787 represented an economic and ideological victory for the traditional political elite. Assess the validity of that statement for the period 1781-1789.

2). To what extent was the United States Constitution a radical departure from the Articles of Confederation?

PRIMARY SOURCE: THE CONSTITUTIONAL CONVENTION DEBATES
THE SLAVE TRADE

As drafted by the convention meeting in Philadelphia, Article 1, Section 9 of the federal Constitution prohibited Congress from outlawing the slave trade before 1808. That provision replaced a clause in an earlier draft of the Constitution that forbade any restraint of the “importation of persons” by the national legislature. That initial clause prompted a debate at the Constitutional Convention among delegates Roger Sherman of Connecticut, George Mason and Edmund Randolph of Virginia, and John Rutledge and Charles Pinckney of South Carolina. What follows are notes of that debate as recorded by James Madison.

[Roger Sherman] was for leaving the clause as it stands. He disapproved of the slave trade; yet as the States were now possessed of the right to import slaves as the public good did not require it to be taken away from them, & as it was expedient to have as few objections as possible to the proposed scheme of Government, he thought it best to leave the matter as we find it. He observed that the abolition of Slavery seemed to be going on in the U.S. & that the good sense of the several States would probably by degrees complete it....

Col. Mason. This infernal traffic originated in the avarice of British merchants. The British Government constantly checked the attempts of Virginia to put a stop to it. The present question concerns not the importing States alone but the whole Union. The evil of having slaves was experienced during the late war. Had slaves been treated as they might have been by the Enemy, they would have proved dangerous instruments in their hand. But their folly dealt by the slaves, as it did by the Tories. He mentioned the dangerous insurrections of the slaves in Greece and Sicily....Maryland & Virginia he said had already prohibited the importation of slaves expressly. North Carolina had done the same in substance All this would be in vain if South Carolina and Georgia be at liberty to import. The Western people are already calling out for slaves for their new lands, and will fill that Country with slaves if they can be got through South Carolina and Georgia. Slavery discourages arts & manufactures. The poor despise labor when performed by slaves. They prevent the immigration of Whites, who really enrich & Strengthen a Country. They produce the most

*From Records of the Federal Convention, August 22, 1787.*
pernicious effect on manners. Every master of slaves is born a petty tyrant. They bring the judgment of heaven on a Country....By an inevitable chain of causes & effects providence punishes national sins, by national calamities. He lamented that some of our Eastern brethren had from a lust of gain embarked in this nefarious traffic. As to the States being in possession of the Right to import, this was the case with many other rights, now to be properly given up. He held it essential in every point of view that the General Government should have power to prevent the increase in slavery.

Mr. Pinckney. If slavery be wrong, it is justified by the example of all the world. He cited the case of Greece, Rome & other ancient States; the sanction given by France, England, Holland & other modern States. In all ages one-half of mankind have been slaves. If the Southern States were let alone they will probably of themselves stop importations....An attempt to take away the right as proposed will produce serious objections to the Constitution which he wished to see adopted....

Mr. Rutledge. If the Convention thinks that North Carolina, South Carolina & Georgia will ever agree to the plan, unless their right to import slaves be untouched, the expectation is vain. The people of those States will never be such fools as to give up so important an interest....Mr. Randolph was for committing in order that some middle ground might, if possible, be found. He could never agree to the clause as it stands. He would sooner risk the constitution. He dwelt on the dilemma to which the Convention was exposed. By agreeing to the clause, it would revolt the Quakers, the Methodists, and many others in the States having no slaves. On the other hand, two States might be lost to the Union....

Questions
1. On what grounds did Roger Sherman defend the clause that barred Congress from restraining the slave trade? In what ways did the opposition of the South Carolinians bear out Sherman’s position?

2. Why did the South Carolinians object to giving jurisdiction over the slave trade to Congress?

3. What did Edmund Randolph see as “the dilemma to which the Convention was exposed?”

4. How do you account for the fact that two southerners, Mason and Randolph, lodged the strongest objections to the clause that might have continued the slave trade indefinitely?

PRIMARY SOURCE: THE FEDERALIST PAPERS #S 10 AND 51.

***I HAVE UNDERLINED KEY SECTIONS***THE ORIGINAL DOCUMENT OBVIOUSLY DOES NOT CONTAIN THESE LINES. THE QUESTIONS CAN BE FOUND BEFORE #10

#10
To the People of the State of New York:
AMONG the numerous advantages promised by a well constructed Union, none deserves to be more accurately developed than its tendency to break and control the violence of faction. The friend of popular governments never finds himself so much alarmed for their character and fate, as when he contemplates their propensity to this dangerous vice. He will not fail, therefore, to set a due value on any plan which, without violating the principles to which he is attached, provides a proper cure for it. The instability, injustice, and confusion introduced into the public councils, have, in truth, been the mortal diseases under which popular governments have everywhere perished; as they continue to be the favorite and fruitful topics from which the adversaries to liberty derive their most specious declamations. The valuable improvements made by the American constitutions on the popular models, both ancient and modern, cannot certainly be too much admired; but it would be an unwarrantable partiality, to contend that they have as effectually obviated the danger on this side, as was wished and expected. Complaints 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. However anxiously we may wish that these complaints had no foundation, the evidence, of known facts will not permit us to deny that they are in some degree true. It will be found, indeed, on a candid review of our situation, that some of the distresses under which we labor have been erroneously charged on the operation of our governments; but it will be found, at the same time, that other causes will not alone account for many of our heaviest misfortunes; and, particularly, for that prevailing and increasing distrust of public engagements, and alarm for private rights, which are echoed from one end of the
continent to the other. These must be chiefly, if not wholly, effects of the unsteadiness and injustice with which a factious spirit has tainted our public administrations.

By a faction, I understand a number of citizens, whether amounting to a majority or a minority of the whole, who are united and actuated by some common impulse of passion, or of interest, adversed to the rights of other citizens, or to the permanent and aggregate interests of the community.

There are two methods of curing the mischiefs of faction: the one, by removing its causes; the other, by controlling its effects.

There are again two methods of removing the causes of faction: the one, by destroying the liberty which is essential to its existence; the other, by giving to every citizen the same opinions, the same passions, and the same interests. It could never be more truly said than of the first remedy, that it was worse than the disease. Liberty is to faction what air is to fire, an aliment without which it instantly expires. But it could not be less folly to abolish liberty, which is essential to political life, because it nourishes faction, than it would be to wish the annihilation of air, which is essential to animal life, because it imparts to fire its destructive agency.

The second expedient is as impracticable as the first would be unwise. As long as the reason of man continues fallible, and he is at liberty to exercise it, different opinions will be formed. As long as the connection subsists between his reason and his self-love, his opinions and his passions will have a reciprocal influence on each other; and the former will be objects to which the latter will attach themselves. The diversity in the faculties of men, from which the rights of property originate, is not less an insuperable obstacle to a uniformity of interests. The protection of these faculties is the first object of government. From the protection of different and unequal faculties of acquiring property, the possession of different degrees and kinds of property immediately results; and from the influence of these on the sentiments and views of the respective proprietors, ensues a division of the society into different interests and parties.

The latent causes of faction are thus sown in the nature of man; and we see them everywhere brought into different degrees of activity, according to the different circumstances of civil society. A zeal for different opinions concerning religion, concerning government, and many other points, as well of speculation as of practice; an attachment to different leaders ambitiously contending for pre-eminence and power; or to persons of other descriptions whose fortunes have been interesting to the human passions, have, in turn, divided mankind into parties, inflamed them with mutual animosity, and rendered them much more disposed to vex and oppress each other than to co-operate for their common good. So strong is this propensity of mankind to fall into mutual animosities, that where no substantial occasion presents itself, the most frivolous and fanciful distinctions have been sufficient to kindle their unfriendly passions and excite their most violent conflicts. But the most common and durable source of factions has been the various and unequal distribution of property. Those who hold and those who are without property have ever formed distinct interests in society. Those who are creditors, and those who are debtors, fall under a like discrimination. A landed interest, a manufacturing interest, a mercantile interest, a moneyed interest, with many lesser interests, grow up of necessity in civilized nations, and divide them into different classes, actuated by different sentiments and views. The regulation of these various and interfering interests forms the principal task of modern legislation, and involves the spirit of party and faction in the necessary and ordinary operations of the government.

No man is allowed to be a judge in his own cause, because his interest would certainly bias his judgment, and, not improbably, corrupt his integrity. With equal, nay with greater reason, a body of men are unfit to be both judges and parties at the same time; yet what are many of the most important acts of legislation, but so many judicial determinations, not indeed concerning the rights of single persons, but concerning the rights of large bodies of citizens? And what are the different classes of legislators but advocates and parties to the causes which they determine? Is a law proposed concerning private debts? It is a question to which the creditors are parties on one side and the debtors on the other. Justice ought to hold the balance between them. Yet the parties are, and must be, themselves the judges; and the most numerous party, or, in other words, the most powerful faction must be expected to prevail. Shall domestic manufactures be encouraged, and in what degree, by restrictions on foreign manufactures? Those questions which would be differently decided by the landed and the manufacturing classes, and probably by neither with a sole regard to justice and the public good. The apportionment of taxes on the various descriptions of property is an act which seems to require the most exact impartiality; yet there is, perhaps, no legislative act in which greater opportunity and temptation are given to a predominant party to trample on the rules of justice. Every shilling with which they overburden the inferior number, is a shilling saved to their own pockets. It is in vain to say that enlightened statesmen will be able to adjust these clashing interests, and render them all subservient to the public good. Enlightened statesmen will not always be at the helm. Nor, in many cases, can such an adjustment be made at all without taking into view indirect and remote considerations, which will rarely prevail over the immediate interest which one party may find in disregarding the rights of another or the good of the whole.
The inference to which we are brought is, that the causes of faction cannot be removed, and that relief is only to be sought in the means of controlling its effects.

If a faction consists of less than a majority, relief is supplied by the republican principle, which enables the majority to defeat its sinister views by regular vote. It may clog the administration, it may convulse the society; but it will be unable to execute and mask its violence under the forms of the Constitution. When a majority is included in a faction, the form of popular government, on the other hand, enables it to sacrifice to its ruling passion or interest both the public good and the rights of other citizens. To secure the public good and private rights against the danger of such a faction, and at the same time to preserve the spirit and the form of popular government, is then the great object to which our inquiries are directed. Let me add that it is the great desideratum by which this form of government can be rescued from the opprobrium under which it has so long labored, and be recommended to the esteem and adoption of mankind.

By what means is this object attainable? Evidently by one of two only. Either the existence of the same passion or interest in a majority at the same time must be prevented, or the majority, having such coexistent passion or interest, must be rendered, by their number and local situation, unable to concert and carry into effect schemes of oppression. If the impulse and the opportunity be suffered to coincide, we well know that neither moral nor religious motives can be relied on as an adequate control. They are not found to be such on the injustice and violence of individuals, and lose their efficacy in proportion to the number combined together, that is, in proportion as their efficacy becomes needful.

From this view of the subject 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 mischiefs of faction. A common passion or interest will, in almost every case, be felt by a majority of the whole; a 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; have ever been found incompatible with personal security or the rights of property; and have in general been as short in their lives as they have been violent in their deaths. Theoretic politicians, who have patronized this species of government, have erroneously supposed that by reducing mankind to a perfect equality in their political rights, they would, at the same time, be perfectly equalized and assimilated in their possessions, their opinions, and their passions.

A republic, by which I mean a government in which the scheme of representation takes place, opens a different prospect, and promises the cure for which we are seeking. Let us examine the points in which it varies from pure democracy, and we shall comprehend both the nature of the cure and the efficacy which it must derive from the Union.

The two great points of difference between a democracy and a republic are: first, the delegation of the government, in the latter, to a small number of citizens elected by the rest; secondly, the greater number of citizens, and greater sphere of country, over which the latter may be extended.

The effect of the first difference is, on the one hand, to refine and enlarge the public views, by passing them through the medium of a chosen body of citizens, 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. Under such a regulation, 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, convened for the purpose. On the other hand, the effect may be inverted. Men of factious tempers, of local prejudices, or of sinister designs, may, by intrigue, by corruption, or by other means, first obtain the suffrages, and then betray the interests, of the people. The question resulting is, whether small or extensive republics are more favorable to the election of proper guardians of the public weal; and it is clearly decided in favor of the latter by two obvious considerations:

In the first place, it is to be remarked that, however small the republic may be, the representatives must be raised to a certain number, in order to guard against the cabals of a few; and that, however large it may be, they must be limited to a certain number, in order to guard against the confusion of a multitude. Hence, the number of representatives in the two cases not being in proportion to that of the two constituents, and being proportionally greater in the small republic, it follows that, if the proportion of fit characters be not less in the large than in the small republic, the former will present a greater option, and consequently a greater probability of a fit choice.

In the next place, as each representative will be chosen by a greater number of citizens in the large than in the small republic, it will be more difficult for unworthy candidates to practice with success the vicious arts by which elections are too often carried; and the suffrages of the people being more free, will be more likely to centre in men who possess the most attractive merit and the most diffusive and established characters.

It must be confessed that in this, as in most other cases, there is a mean, on both sides of which inconveniences will be found to lie. By enlarging too much the number of electors, you render the representatives too little acquainted
with all their local circumstances and lesser interests; as by reducing it too much, you render him unduly attached to these, and too little fit to comprehend and pursue great and national objects. The federal Constitution forms a happy combination in this respect; the great and aggregate interests being referred to the national, the local and particular to the State legislatures.

The other point of difference is, the greater number of citizens and extent of territory which may be brought within the compass of republican than of democratic government; and it is this circumstance principally which renders factious combinations less to be dreaded in the former than in the latter. The smaller the society, the fewer probably will be the distinct parties and interests composing it; the fewer the distinct parties and interests, the more frequently will a majority be found of the same party; and the smaller the number of individuals composing a majority, and the smaller the compass within which they are placed, the more easily will they concert and execute their plans of oppression. Extend the sphere, and you take in a greater variety of parties and interests; you make it less probable that a 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. Besides other impediments, it may be remarked that, where there is a consciousness of unjust or dishonorable purposes, communication is always checked by distrust in proportion to the number whose concurrence is necessary.

Hence, it clearly appears, that the same advantage which a republic has over a democracy, in controlling the effects of faction, is enjoyed by a large over a small republic, -- is enjoyed by the Union over the States composing it. Does the advantage consist in the substitution of representatives whose enlightened views and virtuous sentiments render them superior to local prejudices and schemes of injustice? It will not be denied that the representation of the Union will be most likely to possess these requisite endowments. Does it consist in the greater security afforded by a greater variety of parties, against the event of any one party being able to outnumber and oppress the rest? In an equal degree does the increased variety of parties comprised within the Union, increase this security. Does it, in fine, consist in the greater obstacles opposed to the concert and accomplishment of the secret wishes of an unjust and interested majority? Here, again, the extent of the Union gives it the most palpable advantage.

The influence of factious leaders may kindle a flame within their particular States, but will be unable to spread a general conflagration through the other States. A religious sect may degenerate into a political faction in a part of the Confederacy; but the variety of sects dispersed over the entire face of it must secure the national councils against any danger from that source. A rage for paper money, for an abolition of debts, for an equal division of property, or for any other improper or wicked project, will be less apt to pervade the whole body of the Union than a particular member of it; in the same proportion as such a malady is more likely to taint a particular county or district, than an entire State.

In the extent and proper structure of the Union, therefore, we behold a republican remedy for the diseases most incident to republican government. And according to the degree of pleasure and pride we feel in being republicans, ought to be our zeal in cherishing the spirit and supporting the character of Federalists.

PUBLIUS

#51

To the People of the State of New York:

TO WHAT expedient, then, shall we finally resort, for maintaining in practice the necessary partition of power among the several departments, as laid down in the Constitution? The only answer that can be given is, that as all these exterior provisions are found to be inadequate, the defect must be supplied, by so contriving the interior structure of the government as that its several constituent parts may, by their mutual relations, be the means of keeping each other in their proper places. Without presuming to undertake a full development of this important idea, I will hazard a few general observations, which may perhaps place it in a clearer light, and enable us to form a more correct judgment of the principles and structure of the government planned by the convention.

In order to lay a due foundation for that separate and distinct exercise of the different powers of government, which to a certain extent is admitted on all hands to be essential to the preservation of liberty, it is evident that each department should have a will of its own; and consequently should be so constituted that the members of each should have as little agency as possible in the appointment of the members of the others. Were this principle rigorously adhered to, it would require that all the appointments for the supreme executive, legislative, and judiciary magistracies should be drawn from the same fountain of authority, the people, through channels having no
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communication whatever with one another. Perhaps such a plan of constructing the several departments would be less difficult in practice than it may in contemplation appear. Some difficulties, however, and some additional expense would attend the execution of it. Some deviations, therefore, from the principle must be admitted. In the constitution of the judiciary department in particular, it might be inexpedient to insist rigorously on the principle: first, because peculiar qualifications being essential in the members, the primary consideration ought to be to select that mode of choice which best secures these qualifications; secondly, because the permanent tenure by which the appointments are held in that department, must soon destroy all sense of dependence on the authority conferring them. It is equally evident, that the members of each department should be as little dependent as possible on those of the others, for the emoluments annexed to their offices. Were the executive magistrate, or the judges, not independent of the legislature in this particular, their independence in every other would be merely nominal. But the great security against a gradual concentration of the several powers in the same department, consists in giving to those who administer each department the necessary constitutional means and personal motives to resist encroachments of the others. The provision for defense must in this, as in all other cases, be made commensurate to the danger of attack. The interest of the man must be connected with the constitutional rights of the place. It may be a reflection on human nature, such devices should be necessary to control the abuses of government. But what is government itself, but the greatest of all reflections on human nature? 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: you must first enable the government to control the governed; and in the next place oblige it to control itself. A dependence on the people is, no doubt, the primary control on the government; but experience has taught mankind the necessity of auxiliary precautions. This policy of supplying, by opposite and rival interests, the defect of better motives, might be traced through the whole system of human affairs, private as well as public. We see it particularly displayed in all the subordinate distributions of power, where the constant aim is to divide and arrange the several offices in such a manner as that each may be a check on the other that the private interest of every individual may be a sentinel over the public rights. These inventions of prudence cannot be less requisite in the distribution of the supreme powers of the State. But it is not possible to give to each department an equal power of self-defense. In republican government, the legislative authority necessarily predominates. The remedy for this inconvenience is to divide the legislature into different branches; and to render them, by different modes of election and different principles of action, as little connected with each other as the nature of their common functions and their common offices in such a manner as that each may be a check on the other that the private interest of every individual may be displayed in all the subordinate distributions of power, where the constant aim is to divide and arrange the several departments. Hence a double security arises to the rights of the people. The different and separate departments. Therefore the executive may require, on the other hand, that it should be fortified. An absolute negative on the legislature appears, at first view, to be the natural defense with which the executive magistrate should be armed. But perhaps it would be neither altogether safe nor alone sufficient. On ordinary occasions it might not be exerted with the requisite firmness, and on extraordinary occasions it might be perniciously abused. May not this defect of an absolute negative be supplied by some qualified connection between this weaker department and the weaker branch of the stronger department, by which the latter may be led to support the constitutional rights of the former, without being too much detached from the rights of its own department? If the principles on which these observations are founded are just, as I persuade myself they are, and they are applied as a criterion to the several State constitutions, and to the federal Constitution it will be found that if the latter does not perfectly correspond with them, the former are infinitely less able to bear such a test. There are, moreover, two considerations particularly applicable to the federal system of America, which place that system in a very interesting point of view. First. In a single republic, all the power surrendered by the people is submitted to the administration of a single government; and the usurpations are guarded against by a division of the government into distinct and separate departments. In the compound republic of America, the power surrendered by the people is first divided between two distinct governments, and then the portion allotted to each subdivided among distinct and separate departments. Hence a double security arises to the rights of the people. The different governments will control each other, at the same time that each will be controlled by itself. Second. It is of great importance in a republic not only to guard the society against the oppression of its rulers, but to guard one part of the society against the injustice of the other part. Different interests necessarily exist in different classes of citizens. If a majority be united by a common interest, the rights of the minority will be insecure. There are but two methods of providing against this evil: the one by creating a will in the community independent of the majority that is, of the society itself; the other, by comprehending in the society so many separate descriptions of citizens as will render an unjust combination of a majority of the whole very improbable, if not impracticable. The
first method prevails in all governments possessing an hereditary or self-appointed authority. This, at best, is but a precarious security; because a power independent of the society may as well espouse the unjust views of the major, as the rightful interests of the minor party, and may possibly be turned against both parties. The second method will be exemplified in the federal republic of the United States. Whilst all authority in it will be derived from and dependent on the society, the society itself will be broken into so many parts, interests, and classes of citizens, that the rights of individuals, or of the minority, will be in little danger from interested combinations of the majority. In a free government the security for civil rights must be the same as that for religious rights. It consists in the one case in the multiplicity of interests, and in the other in the multiplicity of sects. The degree of security in both cases will depend on the number of interests and sects; and this may be presumed to depend on the extent of country and number of people comprehended under the same government. This view of the subject must particularly recommend a proper federal system to all the sincere and considerate friends of republican government, since it shows that in exact proportion as the territory of the Union may be formed into more circumscribed Confederacies, or States oppressive combinations of a majority will be facilitated: the best security, under the republican forms, for the rights of every class of citizens, will be diminished: and consequently the stability and independence of some member of the government, the only other security, must be proportionately increased. Justice is the end of government. It is the end of civil society. It ever has been and ever will be pursued until it be obtained, or until liberty be lost in the pursuit. In a society under the forms of which the stronger faction can readily unite and oppress the weaker, anarchy may as truly be said to reign as in a state of nature, where the weaker individual is not secured against the violence of the stronger; and as, in the latter state, even the stronger individuals are prompted, by the uncertainty of their condition, to submit to a government which may protect the weak as well as themselves; so, in the former state, will the more powerful factions or parties be gradually induced, by a like motive, to wish for a government which will protect all parties, the weaker as well as the more powerful.

It can be little doubted that if the State of Rhode Island was separated from the Confederacy and left to itself, the insecurity of rights under the popular form of government within such narrow limits would be displayed by such reiterated oppressions of factious majorities that some power altogether independent of the people would soon be called for by the voice of the very factions whose misuse had proved the necessity of it. In the extended republic of the United States, and among the great variety of interests, parties, and sects which it embraces, a coalition of a majority of the whole society could seldom take place on any other principles than those of justice and the general good; whilst there being thus less danger to a minor from the will of a major party, there must be less pretext, also, to provide for the security of the former, by introducing into the government a will not dependent on the latter, or, in other words, a will independent of the society itself. It is no less certain than it is important, notwithstanding the contrary opinions which have been entertained, that the larger the society, provided it lie within a practical sphere, the more duly capable it will be of self-government. And happily for the REPUBLICAN CAUSE, the practicable sphere may be carried to a very great extent, by a judicious modification and mixture of the FEDERAL PRINCIPLE.

PUBLIUS.

#10

1. Define what Madison means by “faction.” What “56th delegate” to the Constitutional Convention is foremost on his mind while writes about “faction”?

2. The passage that is bold is revolutionary. What is Madison talking about and why is it so important?

3. Do you agree with Madison’s assessment concerning a Federal republic providing security by limiting the effects of “faction”? Reflect (on what you know) about American life since you have been born to answer the question.

#51

1. What is the most prophetic quote to be applied to how our government works today? Then be specific to apply it to how our government works (or doesn’t).

2. What governmental principles is Madison arguing are inherent in the Federal constitution?

3. Why does he think the aforementioned principles will be successfully implemented?