

The Federalist Papers Summary and Analysis

by [Alexander Hamilton](#) and [John Jay](#) and [James Madison](#)

Essay 51

Summary

[James Madison](#) begins his famous federalist paper by explaining that the purpose of this essay is to help the readers understand how the structure of the proposed government makes liberty possible. Each branch should be, in Madison's opinion, mostly independent. To assure such independence, no one branch should have too much power in selecting members of the other two branches. If this principle were strictly followed, it would mean that the citizens should select the president, the legislators, and the judges. But the framers recognized certain practical difficulties in making every office elective. In particular, the judicial branch would suffer because the average person is not aware of the qualifications judges should possess. Judges should have great ability, but also be free of political pressures. Since federal judges are appointed for life, their thinking will not be influenced by the president who appoints them, nor the senators whose consent the president will seek.

The members of each branch should not be too dependent on the members of the other two branches in the determination of their salaries. The best security against a gradual concentration of power in any one branch is to provide constitutional safeguards that would make such concentration difficult. The constitutional rights of all must check one man's personal interests and ambitions. We may not like to admit that men abuse power, but the very need for government itself proves they do: "if men were angels, no government would be necessary." Unfortunately, all men are imperfect, the rulers and the ruled. Consequently, the great problem in framing a government is that the government must be able to control the people, but equally important, must be forced to control itself. The dependence of the government on the will of the people is undoubtedly the best control, but

experience teaches that other controls are necessary. Dividing power helps to check its growth in any one direction, but power cannot be divided absolutely equally. In the republican form of government, the legislative branch tends to be the most powerful. That is why the framers divided the Congress into two branches, the House of Representatives and the Senate, and provided for a different method of election in each branch.

Further safeguards against legislative tyranny may be necessary. In a representative democracy it is not only important to guard against the oppression of rulers, it is equally important to guard against the injustice which may be inflicted by certain citizens or groups. Majorities often threaten the rights of minorities. There are only two methods of avoiding evil. The first is to construct a powerful government, a "community will." Such a "will" is larger than, and independent of, the simple majority. This "solution" is dangerous because such a government might throw its power behind a group in society working against the public good. In our country, the authority to govern comes from the entire society. In addition, under the Constitution society is divided into many groups of people who hold different views and have different interests. This makes it very difficult for one group to dominate or threaten the minority groups.

Justice is the purpose of government and civil society. If government allows or encourages strong groups to combine together against the weak, liberty will be lost and anarchy will result. And the condition of anarchy tempts even strong individuals and groups to submit to any form of government, no matter how bad, which they hope will protect them as well as the weak.

Madison concludes that self-government flourishes in a large country containing many different groups. Some countries are too large for self-government, but the proposed plan modifies the federal principle enough to make self-government both possible and practical in the United States.

Analysis

In this essay, Madison's thoughts on factionalism are delineated

clearly. As we observed earlier, he assumed that conflicts of interests are inherent in human nature, and he recognized that, as a consequence, people fall into various groups. He wanted to avoid a situation in which any one group controlled the decisions of a society. Free elections and the majority principle protected the country from dictatorship, that is, the tyranny of a minority. However, he was equally concerned about the greater risk of tyranny of the majority. A central institutional issue for him was how to minimize this risk.

Madison's solution characteristically relied not only on formal institutions, which could be designed, but also on the particular sociological structure of American society, which he took as a fortunate starting point for the framers of the new constitution. The institutional component in his solution was checks and balances, so that there were multiple entry points into the government and multiple ways to offset the power that any one branch of the government might otherwise acquire over another. In this system, "the constant aim is to divide and arrange the several offices in such a manner as that each may be a check on each other."

These institutional arrangements were reinforced by the sociological fact that the Republic contained a multiplicity of interests that could, and did, offset one another: "While 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." It is good that there are many group interests; that they be numerous is less important than that they be impermanent and shifting alliances whose components vary with the specific policy issue.

Madison commenced the statement of his theory in Federalist 51 with an acknowledgement that the "have nots" in any society are extremely likely to attack the "haves." Like Hamilton, the Virginian believed class struggle to be inseparable from politics. "It is of great importance in a republic not only to guard against the oppression of its rulers," Madison writes, "but to guard one part of the society against the injustice of the other. 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."

Madison, it is clear, had emancipated himself from the sterile dualistic view of society that was so common in the eighteenth century and that so obsessed Hamilton. Madison was one of the pioneers of "pluralism" in political thought. Where Hamilton saw the corporate spirit of the several states as poisonous to the union, Madison was aware that the preservation of the state governments could serve the cause of both liberty and union.

Finally, the vastness of the United States, a fact that Hamilton considered the prime excuse for autocracy, was recognized by Madison as the surest preservative of liberty. To assert after reading this passage that [Alexander Hamilton](#) wrote Federalist 51 is to imply, first, that he was a magician in mimicking Madison's very words and tone of voice, and second that he was the most disingenuous hypocrite that ever wrote on politics. No unprejudiced or informed historian would accept this latter charge against Hamilton.

It is interesting to note that the Federalist papers are unique, as shown in this paper, because of the extreme amount of thought that was put into the design of the Constitution, as shown in Madison's original thought process that were penned in 51. Many, if not most, changes in institutional design, occur as the reactions of shortsighted people to what they perceive as more-or-less short-range needs. This is one reason the Constitutional Convention was a remarkable event. The Founding Fathers set out deliberately to design the form of government that would be most likely to bring about the long-range goals that they envisaged for the Republic. What is most unusual about Madison, in contrast to the other delegates, is the degree to which he thought about the principles behind the institutions he preferred. Not only did he practice the art of what nowadays is deemed institutional design, but he developed, as well, the outlines of a theory of institutional design that culminated in this essay.