

The Federalist Papers

Kerby Anderson takes through a summary of the Federalist Papers as seen from a biblical worldview perspective. Does a Christian view of man and government undergird these foundational documents? Kerby considers this question.

Introduction

The Federalist Papers are a collection of eighty-five essays written by James Madison, Alexander Hamilton, and John Jay between October 1787 and May 1788. They were written at the time to convince New York State to ratify the U.S. Constitution.



They are perhaps the most famous newspaper columns ever written, and today constitute one of the most important documents of America's founding period. They provide the justification for the Constitution and address some of the most important political issues associated with popular self-government.

Clinton Rossiter says that "*The Federalist* is the most important work in political science that has ever been written, or is likely ever to be written, in the United States. . . . It would not be stretching the truth more than a few inches to say that *The Federalist* stands third only to the Declaration of Independence and the Constitution itself among all the sacred writings of American political history."[\[1\]](#) Jacob Cooke agrees. He believes that "The United States has produced three historic documents of major importance: The Declaration of Independence, the Constitution, and *The Federalist*." [\[2\]](#)

All the essays were signed "Publius" even though they were written by three different authors (Hamilton wrote fifty-two, Madison wrote twenty-eight, and Jay wrote five). Political

leaders in New York opposed the new government because the state had become an independent nation under the Articles of Confederation and was becoming rich through tariffs on trade with other states. When it became apparent that New York would not ratify the Constitution, Alexander Hamilton enlisted the aid of James Madison (who was available because the Continental Congress was sitting in New York) and John Jay. Unfortunately, Jay was injured and was only able to complete a few essays.

There are many reasons for the importance of *The Federalist Papers*. First, the authors were significant figures during the founding era. James Madison is considered the architect of the Constitution and later served as President of the United States. Alexander Hamilton served in George Washington's cabinet and was a major force in setting U.S. economic policy. John Jay became the first Chief Justice of the U.S. Supreme Court. Each of these men was present at the constitutional convention and was respected by their peers.

Second, *The Federalist Papers* provide the most systematic and comprehensive analysis of the constitution. Not only do the authors explain the structure of the constitution, but they also defend their decisions against the critics of their day. They were, after all, writing to convince New York to ratify the constitution.

Third, *The Federalist Papers* explain the motives of the Founding Fathers. Often when Supreme Court justices are trying to discern the founder's intentions, they appeal to these writings.^[3] *The Federalist Papers* are the most important interpretative source of constitutional interpretation and give important insight into the framers' intent and purpose for the Constitution.

Human Nature

The writers of *The Federalist Papers* were concerned about the relationship between popular government and human nature. They were well aware that human beings have the propensity to pursue short-term self-interest often at the expense of long-term benefits. The writers were also concerned that factions that formed around these areas of immediate self-interest could ultimately destroy the moral foundations of civil government.

James Madison argued in *Federalist Paper #51* that government must be based upon a realistic view of human nature:

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.{4}

The writers of *The Federalist Papers* certainly believed that there was a positive aspect to human nature. They often talk about reason, virtue, and morality. But they also recognized there was a negative aspect to human nature. They believed that framing a republic required a balance of power that liberates human dignity and rationality and controls human sin and depravity.

As there is a degree of depravity in mankind which requires a certain degree of circumspection and distrust, so there are other qualities in human nature which justify a certain portion of esteem and confidence. Republican government presupposes the existence of these qualities in a higher degree than any other form.{5}

As we will discuss in more detail later, James Madison concluded from his study of governments that they were destroyed by factions. He believed this factionalism was due to “the propensity of mankind, to fall into mutual animosities” (*Federalist Paper #10*) which he believed were “sown in the nature of man.” Constitutional scholars have concluded that “the fallen nature of man influenced Madison’s view of law and government.”[\[6\]](#) He therefore concluded that government must be based upon a more realistic view which also accounts for this sinful side of human nature.

A Christian view of government is based upon a balanced view of human nature. It recognizes both human dignity (we are created in God’s image) and human depravity (we are sinful individuals). Because both grace and sin operate in government, we should neither be too optimistic nor too pessimistic. We should view governmental affairs with a deep sense of biblical realism.

Factions and the Republic

The writers of *The Federalist Papers* were concerned about the previous history of republics. Alexander Hamilton writes that “the history of the petty republics of Greece and Italy” can only evoke “horror and disgust” since they rocked back and forth from “the extremes of tyranny and anarchy.”

James Madison focused on the problem of factions. “By a faction I understand a number of citizens, whether amounting to a majority or minority of the whole, who are united and actuated by some common impulse of passion, or of interest, adverse to the rights of the citizens, or to the permanent and aggregate interests of the community.”[\[7\]](#)

Madison believed there were only two ways to cure the problem of factions: remove the causes or control the effects. He quickly dismisses the first since it would either destroy

liberty or require everyone to have “the same opinions, the same passions, and the same interests.”

He further acknowledges that “causes of faction are thus sown in the nature of man.” So he rejects the idea of changing human nature. And he also rejects the idea that a political leader will be able to deal with the problem of factions: “It is 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.”[\[8\]](#)

Madison believed the solution could be found in the extended republic that the framers created. While a small republic might be shattered by factions, the larger number of representatives that would be chosen would “guard against the cabals of a few.”

Also, since “each representative will be chosen by a greater number of citizens, it will be more difficult for unworthy candidates to practice with success the vicious arts by which elections are too often carried.” Also, the voters are “more likely to center on men who possess the most attractive merit and the most diffusive and established characters.”[\[9\]](#)

Madison also believed that this extended republic would minimize the possibility of one faction pushing forward its agenda to the exclusion of others. This was due to the “greater number of citizens and extent of territory.” A smaller society would most likely have fewer distinct parties. But if you extend the sphere, you increase the variety and interests of the parties. And it is less likely any one faction could dominate the political arena.

Madison realized the futility of trying to remove passions or human sinfulness, and instead designed a system that minimized the influence of factions and still provided the greatest amount of liberty for its citizens.

Separation of Powers

The writers of *The Federalist Papers* were concerned with the potential abuse of power, and set forth their rationale for separating the powers of the various branches of government. James Madison summarizes their fear of the centralization of political power in a famous quote in *Federalist Paper #47*.

No political truth is certainly of greater intrinsic value, or is stamped with the authority of more enlightened patrons of liberty, than that on which the objection is founded. The accumulation of all powers, legislative, executive, and judiciary, in the same hands, whether of one, a few or many, and whether hereditary, self-appointed, or elective, may justly be pronounced the very definition of tyranny.[{10}](#)

Madison quickly dismisses the idea that constitutional provisions alone will prevent an abuse of political power. He argues that mere “parchment barriers” are not adequate “against the encroaching spirit of power.”[{11}](#)

He also believed that the legislature posed the greatest threat to the separation of powers. “The legislative department is everywhere extending the sphere of its activity and drawing all power into its impetuous vortex.”[{12}](#) The framers therefore divided Congress into a bicameral legislature and hoped that the Senate would play a role in checking the passions of popular majorities (*Federalist Paper #63*).

His solution was to give each branch separate but rival powers. This prevented the possibility of concentrating power into the hands of a few. Each branch had certain checks over the other branches so there was a distribution and balance of power.

The effect of this system was to allow ambition and power to control itself. Each branch is given power, and as ambitious

men and women seek to extend their sphere of influence, they provide a check on the other branch.

Madison said, "Ambition must be made to counteract ambition. The interest of the man must be connected with the constitutional rights of the place. It may be a reflection on human nature that such devices should be necessary to control the abuses of government."[{13}](#) This policy of supplying "opposite and rival interests" has been known as the concept of countervailing ambitions.

In addition to this, the people were given certain means of redress. Elections and an amendment process have kept power from being concentrated in the hands of governmental officials. Each of these checks was motivated by a healthy fear of human nature. The founders believed in human responsibility and human dignity, but they did not trust human nature too much. Their solution was to separate powers and invest each branch with rival powers.

Limited Government

The writers of *The Federalist Papers* realized the futility of trying to remove passions and ambition from the population. They instead divided power and allowed "ambition to counteract ambition." By separating various institutional power structures, they limited the expansion of power.

This not only included a horizontal distribution of powers (separation of powers), but also a vertical distribution of powers (federalism). The federal government was delegated certain powers while the rest of the powers were reserved to the states and the people.

James Madison rightly called this new government a republic which he defined as "a government which derives all its powers directly or indirectly from the great body of people, and is administered by persons holding their offices during pleasure

for a limited period, or during good behavior.”{14}

He also argued that “the proposed government cannot be deemed a national one; since its jurisdiction extends to certain enumerated objects only, and leaves to the several states a residuary and inviolable sovereignty over all other objects.”{15}

Governmental power was limited by the Constitution and its interpretation was delegated to the judicial branch. As Alexander Hamilton explained, the Constitution was to be the supreme law of the land.

A constitution is, in fact, and must be regarded by the judges as, a fundamental law. It therefore belongs to them to ascertain its meaning as well as the meaning of any particular act proceeding from the legislative body. If there should happen to be an irreconcilable variance between the two, that which has the superior obligation and validity ought, of course, to be preferred; or, in other words, the Constitution ought to be preferred to the statute, the intention of the people to the intention of their agents.{16}

Although Hamilton referred to the judiciary as the weakest of the three branches of government, some of the critics of the Constitution warned that the Supreme Court “would be exalted above all power in the government, and subject to no control.”{17} Unfortunately, that assessment certainly has proved correct over the last few decades.

The Federalist Papers provide an overview of the political theory that undergirds the U.S. Constitution and provide important insight into the intentions of the framers in constructing a new government. As we have also seen, it shows us where the current governmental structure strays from the original intent of the framers.

The framers fashioned a government that was based upon a realistic view of human nature. The success of this government

in large part is due to separating power structures because of their desire to limit the impact of human sinfulness.

Notes

1. Clinton Rossiter, *The Federalist Papers* (New York: New American Library, 1961), vii.
2. Jacob E. Cooke, *The Federalist* (Middletown, CT: Wesleyan University Press, 1961), ix.
3. James G. Wilson, "The Most Sacred Text: The Supreme Court's Use of The Federalist Papers," *Brigham Young University Law Review* I (1985).
4. James Madison, *Federalist Papers*, #51 (New York: New American Library, 1961), 322.
5. Madison, *Federalist Papers* #55, 346.
6. John Eidsmoe, *Christianity and the Constitution* (Grand Rapids, MI: Baker Books, 1987), 101.
7. Madison, *The Federalist Papers*, #10, 78.
8. Ibid., 80.
9. Ibid., 82-3.
10. Madison, *The Federalist Papers*, #47, 301.
11. Madison, *The Federalist Papers*, #48, 308.
12. Ibid., 309.
13. Madison, *The Federalist Papers*, #51, 322.
14. Madison, *The Federalist Papers*, #39, 241.
15. Ibid, 245.
16. Alexander Hamilton, *The Federalist Papers*, #78, 467.
- 17 Herbert Storing and Murray Day, eds. *The Complete Anti-Federalist* (University of Chicago Press, 1981) II, 420.