

## *James Madison's Tenth Federalist Paper*

### **A Lecture by Alan R. Gibson James Madison Seminar**

#### ***I. Significance of Madison's Argument***

##### **A. Historical Significance**

1. Addressed the leading objection to the ratification of the Constitution. – Montesquieu's "small republic thesis" as adapted by the Anti-federalists.
2. Important in the construction of Madison's constitutional reform program. In particular, the theory of the extended republic was the means in which Madison reconciled republicanism and nationalism and was integral to the "Federalist Persuasion." The Framers believed that republicanism could only be saved by creating an extended republic and thus muting and moderating majority factionalism.
3. Theoretical Novelty – Madison's Theory was a watershed in the history of political thought. Madison presented a novel definition of a republic, provided an analysis of the social structure of the American republic that made mixed government irrelevant, and paved the way for a transition from a politics of virtue to a politics of interest.

##### **B. Contemporary Significance: "Bristling with insights, No. 10 indeed has something for everyone today – an explicit reference to property rights and class conflict, a celebration of demographic and religious diversity, a sophisticated account of interest groups and electoral dynamics, and a prophetic sketch of the federal government's role in protecting minority rights." (Akhil Reed Amar, *America's Constitution: A Biography* (New York: Random House, 2005, 43.)**

1. Addressed one of the perennial problems in the history of American political thought: how can majority rule be reconciled with the protection of individual and minority rights.
2. Statement about the sources of political conflict and identity and how political conflict is best resolved.

#### ***II. Outline of Madison's Argument from The Federalist No. 10***

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B. Definition of Faction: “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 other citizens, or to the permanent and aggregate interests of the community.”

1. Majority and Minority Factions: Majorities pose the real problem.
2. Activated by Passion or Interests.
3. Opposed to the ends of government: the protection of individual rights and the promotion of the common interest.

#### C. Typology of Faction

1. Opinions- concerning government and religion – ideology and faith
2. Passions – expressed as an attachment to different leaders
3. Interests – “the most constant and durable source of faction.”

#### D. Two methods of curing the “mischiefs of faction.”

##### 1. Removing the Causes

a) destroying liberty is “unwise” – a cure 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.”

b) “Giving to every citizen the same opinions, passions, and interests” is impracticable. Reason fails, there is a reciprocal relationship between reason and self-love, people have different and unequal faculties of acquiring property.

##### 2. Controlling the Effects of Faction

a) Minority factions are controlled by the majority principle that allows the majority to outvote the minority.

b) Majority Faction: Controlling majority factions without violating the spirit and form of republic government forms the Great Desideratum.

1. This problem cannot be addressed in a “pure Democracy.”

2. A republic promises the cure – Two differences between a republic and a pure Democracy: 1) representation and 2) extent of territory.

1. Election of representatives from large districts

a) Election of More Virtuous Representatives

b) Unworthy candidates are less able to practice the “vicious arts by which elections are too often carried.”

c) Makes representatives responsible to a greater number and variety of interests.

d) Keeps the number of legislators at a modern number and makes deliberation possible. “Had every Athenian citizen been a Socrates, every Athenian assembly would still have been a mob.” *The Federalist* No. 55.

2. Extent of territory: Greater Number of Individuals, distance between the people and between the people and their representatives, and especially the greater variety of interests and religious sects in the nation will make it less probable that a majority faction will be able to realize it is a majority and to act in unison with each other. This inverts the psychological dynamic of group opinion. Coalitions of the majority can “seldom take place on any other principles than those of justice and the general good....”

### ***III. The Anti-federalist Perspective***

A. Elections from large districts and extent of territory were efforts to diminish the chances for elections of men of middling rank with only local reputations. When Madison and other Federalists defend elections from large districts as a means of extracting the “purest and noblest characters” in the society and promoting the choice of men with “the most attractive merit and the most diffusive and established characters,” they were, according to this interpretation, really using “code words” not simply for the selection of a natural aristocracy but for the choice of men who had extensive property, education, refinement, and social status and who were unlikely to favor paper money or low taxation rates. Men of property more easily form associations and unite their interests. The Federalists also sought to diminish personal solicitations (crash electioneering such as making speeches) over permanent popularity.

B. Many of the Anti-federalists saw the adoption of an extended republic as a means of preventing the operation of local democracy as it had developed in the states during the mid-1780s.

#### ***IV. The Debate over the Best Interpretation***

##### A. The Progressive Reading – Charles Beard

1. Madison was an economic determinist
2. The extended republic was part of the Framers' anti-democratic constitutional system. Madison meant to "break up the attacking forces of popular majorities" before they were able to take over the legislature.

##### B. Neo Progressive Reading – Gordon Wood and Woody Holton

1. Elections from expanded electoral districts were central mechanism for achieving Madison's goal of restoring and prolonging the rule to the patriarchal elite of the Founding generation.
2. The group of men who favored elections from large districts opposed paper money and the other forms of debtor relief legislation that had been passed in the states during the 1780s.

##### C. The Pluralist Reading (Martin Diamond and Rational Choice Theorists)

1. Madison believed that representatives would enter Congress loyally prepared to sacrifice the national interests to the interests of their constituents.
2. Once in Congress, representatives would find that they did not have the votes to get policies passed that furthered the particular interests of their constituents.
3. Legislation would therefore be passed in a process of coalition building in which the demands of representatives were moderated.

##### D. The Disinterested Representation Reading or Elite Republican Reading (Gordon Wood and Garry Wills)

1. The central component of Madison's theory was the election of disinterested representatives from expanded districts.
2. The Madisonian system relied upon the disinterested virtue of these representatives. Madison sought to elevate men into public office who

would be above the fray of particular interests and could make judgments about what policies were in the public good.

E. The Impartial Representation or Impartial Administration Reading  
(Michael Zuckert, George Carey, Alan Gibson)

1. Madison's theory of an extended republic is best understood as a two part argument for the creation of impartial majorities within Congress.

2. Madison favored the election of representatives from large electoral districts for a variety of reasons including the election of virtuous representatives, but this was a secondary point. He often understood that "enlightened statesmen will not always be at the helm."

3. Extent of territory and the diversity of interests create conditions under which impartial majorities are more likely to form.

*V. Criticisms and Legacies*

1. Forming Good" majorities and establishing obstacles to "Bad" ones
2. Do expanded electoral districts help promote the election of virtuous representatives and diminish the chances of demagogues? Were expanded districts merely a form of informal exclusion of men of middling rank from office?
3. Safety in Numbers? Demagogues in the Electorate and in Congress
4. American Society: Pluralistic or Polarized? Geographic Sections or Economic Interests? Slave vs. Free States
5. Did Madison underestimate the force of minority factions in the operations of the American political system and misunderstand the forces of influence?
6. Do large Countries really avoid the problems of faction better than small countries?
7. Jennifer Nedelsky's Critique: The Madison Model and the Impartiality of the Propertied?
8. Technology, Diversity, and the Extended Republic
9. Democracy, Community, and the Extended Republic