

Study Guide on *The Federalist* 10, 14–15, 23, 30–31, 39–46, 55

Why do the Federalists insist that the Constitution establishes a republic, not a democracy? What are the differences between these two (#10, p. 58 ff.¹)? What effect does the republican nature have on the future success of the Union? (Consider also #37, pp. 221 ff.)

What is the nature and cause of faction in a political body (#10, p. 58), and how does the Constitution aim to overcome this affliction?

- What do the Federalists mean by “faction” (#10, p. 54)?
- Does faction always arise from strife over property (#10, pp. 55–6)?
- Why does the author claim that democracy “can admit of no cure for the mischiefs of faction” (#10, p. 58)? Does this seem right?
- How does a republic, generally speaking, alleviate this problem? Consider #10, p. 60.
- Within the U.S. Constitution, how does the House of Representatives stand with respect to factions?

Why is the present confederation insufficient “to preserve the Union” (#15)? List the arguments that Hamilton gives. Are they persuasive?

Is this a national or a federal constitution? Evaluate the arguments Madison gives in support of its federal identity (#39, pp. 242–6).

- Why is the distinction between a relation of states and a relation of individuals important?
- How does this view compare with that expressed in Hamilton’s *Federalist No. 9*: “so long as the separate organization of the members be not abolished . . . it would still be . . . a confederacy” (52)?

¹ Alexander Hamilton, John Jay, and James Madison. *The Federalist: A Commentary on the Constitution of the United States*. Edited by Robert Scigliano. New York: Modern Library, 2000. (All page numbers refer to this edition.)



Are the powers of taxation laid out explicitly in the Constitution?

- Is the federal government's power to tax unlimited? Is this a necessary condition for this kind of government? Hamilton writes that "[The Union's] future necessities admit not of calculation or limitation" (#30, p. 183). Is this sufficient reason?
- Is the principle correct, that "every power ought to be in proportion to its object" (#30, p. 182)? Does Hamilton apply it appropriately in his argument?
- Why does Hamilton believe that for the federal government to acquire revenue from the states is "unavailing" (#31, p. 188)?
- Why must the power to tax extend to individuals (#15, p. 89)?

As the Federalists describe it, is the Constitution more Aristotelian or Lockean? What view of human nature do these authors have in mind? Consider the following:

- What motivates human conduct? Is it wealth, virtue, the common good, or something else?
- What is the end of government, in the view of each author? What does it mean, that all political institutions aim at the "safety and happiness of society" (#43, p. 283)?
- To what extent is the virtue of the people and the rulers important? How important is the structure of government, and its institutions?

What gives the union the most "energy" (#37, p. 223)? Is this the same as, or different from, what gives it the most unity? How does the size of the territory affect the energy needed (#23, p. 145)?

Are the Federalist authors out of tune with the dangers of federal usurpation of the power of taxation? How do the Federalists defend the powers required for a more energetic union (#23, #30, #31)? Is this prudent or dangerous? Explain.

Suggested use: This study guide includes a few questions and observations about *The Federalist*. Among possible uses, one could consider these comments while reading the work; or one could use them as starting points for a classroom discussion.

