

## **The Federalist Papers Assignment**

The Federalist Papers are one of the most precise insights into the thoughts of the Constitution's framers. Discuss the Federalist Papers in terms of the following questions.

1. What were the Federalist Papers? Who wrote them, why were they written, and where were they published? **The Federalist Papers were a series of essays written by Hamilton, Madison, and Jay in order to encourage the ratification of the United States Constitution. There were 85 of them, published in The Federalist in 1788, but also sent into various newspapers between 1787 and 1788, all under the pseudonym 'Publius'. These papers were primarily directed to convincing New Yorkers, a key state, to ratify the Constitution.**
2. What are the most compelling ideas behind Federalist #10 ? (discuss five important points) **The primary concern of Federalist #10, penned by James Madison, was the issue of factionalism. Several compelling ideas were brought up by Madison, such as the idea that factionalism could not be eliminated and instead must be mitigated by controlling its effects. The Republic, in Madison's estimation, was the happy medium by which liberty could be preserved while mitigating factionalism, whereas pure democracy would lead to factionalism, chaos, and possible tyranny. Madison also brought up the idea of federalism being necessary to ensure that representatives in the Republic did not oversee constituencies too large to understand. Other ideas Madison discusses include the Republic being necessary to prevent the forcible redistribution of wealth, seen as a bad thing even then, as well as an important difference between republic and democracy being that representatives must prove their merit within a republic with much more effort. This would lead to better government. Madison realizes that factionalism is something that must be controlled without too great an expense upon liberty, and that the Republic can resolve the issue, which he claims stems from economic stratification preventing the sharing of same opinions, as people will inevitably ally with those they are most similar to and not to people of differing socioeconomic backgrounds and beliefs.**
3. What was the reaction by other founding fathers who were concerned about the original constitution? **Many were concerned that the Constitution would result in far too many powers being given to the federal government. They organized under the Anti-Federalist banner to express their misgivings until a compromise was eventually reached in the form of the Bill of Rights, supporters of the Constitution agreeing to adopt them following ratification of the Constitution to address perceived issues.**
4. What are the most compelling ideas behind Federalist #84 ? (discuss five important points) **Hamilton, unlike Madison, was not a supporter of the Bill of Rights. He did desire the Constitution's ratification, yes, but he believed that the goal of the Constitution should be to resolve the issues of governmental power and reach so as to ensure individual liberty without the need for specification on a federal level. Any specifics that needed to be enumerated could be enumerated with state or local law in Hamilton's estimation. Hamilton argued that if a Constitution was properly established and accepted, built upon the people's will, then a bill of rights was unnecessary as such documents were typically used to establish an agreement between kings and the lesser people on the use of power. This is an interesting point, alongside the idea that the Bill of Rights was unnecessary. Furthermore, Hamilton contends that such language as the Bill of Rights is a matter of ethics and not a direction on government, an argument that must be decided concerning the values that we hold dear as a liberated people. Most striking of Hamilton's ideas, however, is his professed belief that the Bill of Rights could be potentially dangerous by enabling future**

administrations to establish pretense for claiming the power of regulations. Hamilton believed that the liberties recognized by the Bill of Rights should be accepted as not being able to be regulated in any sense, and that the language of the Bill of Rights left an opening by which liberties could be restricted or damaged. He argues also that the Constitution is in and of itself a Bill of Rights that needs not further specification.

5. Do you feel the compromise reached was the best one? Would there have been a better solution in your view? **After reading Federalist #84 and more of Hamilton's writings, I do not believe it was the best compromise, but it was the most sensible at the time. At the time, it was necessary to keep the country together and to satisfy both sides, and the Bill of Rights has been lauded as an achievement of the Founding Fathers; our country has remained strong and has lived by the first ten amendments for the most part. However, we can already see that Hamilton was right. The Bill of Rights left an opening with its language to have the extent of our liberties interpreted by people long after the fact, bringing up the potential of restriction of liberties. Whatever your views, this is inarguable, as it is being done today. I myself have borne witness to a class wholly based around interpreting the language of the 2<sup>nd</sup> Amendment, which was likely felt to be clear and not requiring of further speculation at the time of its writing, in my estimation. I think the better solution would have been to specify what the government has no right to regulate in the language of the Constitution itself, or perhaps as an amendment afterwards. Make no mistake, I love the Bill of Rights, and would rather have it than nothing, but the issues of language and interpretation have made the standing of the Bill of Rights and the aspects of the Constitution itself tenuous in the modern-day.**