

**17.037/17.038. American Political Thought**  
**Spring 2004**

**Reading Questions for Week 5. Debating the Constitution**

1. What are the ends or purposes of government according to *The Federalist*? Is it primarily the protection of property rights? Promoting the “happiness” of citizens? How is happiness defined? Some argue that the Founding Fathers were concerned primarily to protect the propertied interests of the few against the many with no or little property. Do you agree? Why, or why not?
2. What were the primary concerns that the *The Federalist* raised and sought to address? What institutional remedies did they propose to address their concerns?
3. In *Federalist* No. 10 and 51, Madison discusses the problem of factions. What is this problem? (Is it a problem of majority faction or minority factions?) How should this problem be addressed, in Madison’s view? Do you think that his proposals best address the problem?
4. *The Federalist* argues for a unified republic over a confederation of smaller republics; it sees a strong national government as essential for agricultural and commercial growth, westward expansion of the nation, and security in international affairs. What are the objections of the “Pennsylvania minority” against this federalist vision for America? What were the anti-federalist worries concerning individual rights, representation, and the standing army?
5. Some claim that the Constitution is less democratic than the Declaration of Independence. In what ways has the Constitution been thought to be less democratic than the Declaration? How persuasive is this claim?
6. Martin Diamond discusses the different features of the Constitution that are thought to be “undemocratic”: the process for amending the Constitution, qualifications on suffrage, and the organization and election of the Senate. Diamond maintains that none of these arrangements is undemocratic, i.e. diminish “the legal power of majorities to rule” (60). How persuasive do you find his arguments?

## *The Federalist*

### **Synopsis**

- No. 1 Outline of the series (Hamilton)
- 2 Why the Philadelphia convention was called and why it drafted a new constitution (Jay)
- 3-8 Articles of Confederation do not adequately provide for the national defense against foreign invasion (Jay, [3-5]) and domestic insurrection and civil war (Hamilton [6-8])
- 9 Defects of small republics not present in the large confederate or “compound” republic created by the Constitution (Hamilton)
- 10 Further defense of large or extended republic (Madison)
- 11-13 Articles of Confederation inimical to trade and commerce (Hamilton)
- 14 Further defense of extended republic (Madison)
- 15-17 Articles of Confederation give too much power to states and not enough to central government; proposed constitution provides a balance between the two (Hamilton)
- 18-20 Present confederation compared to failed leagues of the past (Madison)
- 21-36 Articles do not provide adequate power to tax and to support army and navy (Hamilton)
- 37-40 Proposed constitution framed in spirit of compromise and according to republican principles by a body of respected citizens (Madison)
- 41-46 Powers granted under the proposed constitution—military, diplomatic, interstate, etc.—complement and supplement powers retained by the states (Madison)
- 47-51 Separation of powers under proposed constitution (Madison)
- 52-61 The House of Representatives explained and defended (Madison [52-58], Hamilton [59-61])
- 62-66 The Senate’s composition and mode of election (62-63: Madison), power to make treaties (64: Jay), and power to impeach (65-66: Hamilton)
- 67-77 The Executive Branch: powers of the President to pardon, make treaties and appointments are constitutionally limited and consistent with republican principles (Hamilton)
- 78-83 The Judiciary: judicial power is constitutionally constrained by requirements of good behavior, the threat of impeachment, and other limitations (Hamilton)
- 84-85 Miscellaneous objections answered; why a bill of rights is unnecessary; concluding remarks (Hamilton)