

Federalist #10

James Madison

- **Madison argues in *Federalist 10* that while factions, or special interest groups, can be dangerous, they are essential to liberty and a democratic government.** He defines as faction as...

"...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."

- **Madison believes that factions are essential to a free government.** He uses the following analogy:

"Liberty is to faction what air is to fire, an aliment without which it instantly expires. But it could not be a 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."

- **Why do factions come about?** Madison writes...

"...the most common and durable source of factions has been the various and unequal distribution of property. Those who hold and those who are without property have ever formed distinct interests in society."

- **Madison believes that because they are essential, factions will always be present in society. The trick is control the effects these special interests have so that they don't replace the will of ALL the people:**

"The inference to which we are brought is that the causes of factions cannot be removed and that relief is only to be sought in the means of controlling its effects."

- **The best way to control the effects of factions are in a large, not a small society. The greater the number of people, the less likely a small faction can gain control.**

"The smaller the society, the fewer probably will be the distinct parties and interests composing it; the fewer the distinct parties and interests, the more frequently will a majority be found of the same party; and the smaller the number of individuals composing a majority, and the smaller the compass within which they are placed, the more easily will they concert and execute their plans of oppression. Extend the sphere and you take in a greater variety of parties and interests; you make it less probable that a majority of the whole will have a common motive to invade the rights of other citizens...."

Federalist #51

James Madison

- **James Madison in *Federalist 51* argues that separation of powers is essential in the new government because it will divide powers and allow the three branches of government to continually check the powers of the others.**

"In order to lay a due foundation for that separate and distinct exercise of the different powers of government, which to a certain extent is admitted on all hands to be essential to the preservation of liberty, it is evident that each department should have a will of its own; and consequently should be so constituted that the members of each should have as little agency as possible in the appointment of the members of the others."

- **Madison begins examining the nature of man in determining that he is ambitious or continually seeks to further his own causes. This ambition is key in balancing the powers of government. The ambition of one branch of government can be used to control the ambition of another. And man's interests should revolve around their constitutional duties, not their personal interests:**

"But the great security against a gradual concentration of the several powers in the same department consists in giving to those who administer each department the necessary constitutional means and personal motives to resist encroachments of the others....Ambition must be made to counteract ambition. The interest of the man must be connected with the constitutional right of the place."

- **In what is perhaps the most well-known quote from *The Federalist Papers*, Madison argues for the need for separation of powers. Going back to his arguments that factions or special interests will always be present in politics, it is as important for government to lay down a fair governing system for its citizens as it is for the government to make sure it doesn't run away with the power given it by the Constitution. Madison writes...**

"It may be a reflection on human nature that such devices [separation of powers] should be necessary to control the abuses of government. 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."

- **Federalism provides yet another check on the power of the federal government by giving certain powers to the states. This also helps to separate powers. Madison asserts...**

"In the compound republic of America, the power surrendered by the people is first divided between two distinct governments [state and federal], and then the portion allotted to each subdivided among distinct and separate departments. The different governments will control each other, at the same time that each will be controlled by itself."