




The Federalist “Number 51”

Setting the Stage James Madison wrote 29 essays in *The Federalist* papers to argue in favor of ratifying the Constitution. In *The Federalist* “Number 51,” Madison explains how the government set up by the Constitution will protect the rights of the people by weakening the power of any interest, or group, to dominate the government. **See Primary Source Explorer** 

A CLOSER LOOK

MINORITY RIGHTS

In the 1700s, people feared that democratic majorities could turn into mobs that would violate other people’s rights. Madison had to explain how the Constitution would prevent this.

1. What two methods does Madison suggest a society can use to protect minority rights?

A CLOSER LOOK

REPUBLICS IN LARGE SOCIETIES

For centuries, people believed that only small societies could be republics. But Madison argues that large societies are more likely to remain republics.

2. Why does Madison believe that a large republic is likely to protect justice?

It is of great importance in a republic not only to guard the society against the oppression of its rulers, but to guard one part of the society against the injustice of the other part. Different interests necessarily exist in different classes of citizens. If a majority be united by a common interest, the rights of the minority will be insecure. There are but two methods of providing against this evil: the one by creating a will in the community independent of the majority—that is, of the society itself; the other, by **comprehending**¹ in the society so many separate descriptions of citizens as will render an unjust combination of a majority of the whole very improbable, if not **impracticable**.² . . .

Whilst³ all authority in it will be derived from and dependent on the society, the society itself will be broken into so many parts, interests and classes of citizens, that the rights of individuals, or of the minority, will be in little danger from interested combinations of the majority. In a free government the security for civil rights must be the same as that for religious rights. It consists in the one case in the multiplicity of interests, and in the other in the **multiplicity of sects**.⁴ . . .

In the extended republic of the United States, and among the great variety of interests, parties, and sects which it embraces, a **coalition**⁵ of a majority of the whole society could seldom take place on any other principles than those of justice and the general good. . . .

It is no less certain than it is important . . . that the larger the society, provided it lie within a practicable sphere, the more duly capable it will be of self-government. And happily for the republican cause, the practicable sphere may be carried to a very great extent by a **judicious modification**⁶ and mixture of the *federal principle*.

—James Madison

1. **comprehending:** understanding.

2. **impracticable:** not practical or realistic.


3. **whilst:** while.

4. **multiplicity of sects:** large number of groups.

5. **coalition:** alliance of groups.

6. **judicious modification:** careful change.

Objections to the Constitution

Setting the Stage George Mason was one of the leading Antifederalists. In “Objections to the Constitution of Government Formed by the Convention,” he listed his reasons for opposing ratification. Above all, he feared that the Constitution created a government that would destroy democracy in the young nation. **See Primary Source Explorer** 

There is no Declaration of Rights; and the Laws of the general Government being **paramount**¹ to the Laws and Constitutions of the several States, the Declaration of Rights in the separate States are no Security. Nor are the people secured even in the Enjoyment of the Benefits of the common-Law. . . .

In the House of Representatives, there is not the Substance, but the Shadow only of Representation; which can never produce proper Information in the Legislature, or inspire Confidence in the People; the Laws will therefore be generally made by Men little concern'd in, and **unacquainted**² with their Effects and Consequences.

The Senate have the Power of altering all Money-Bills, and of originating Appropriations of Money and the **Sallerys**³ of the Officers of their own Appointment in **Conjunction**⁴ with the President of the United States; altho' they are not the Representatives of the People, or **amenable**⁵ to them. . . .

The President of the United States has the unrestrained Power of granting Pardon for Treason; which may be sometimes exercised to screen from Punishment those whom he had secretly **instigated**⁶ to commit the Crime, and thereby prevent a Discovery of his own Guilt.

This Government will **commence**⁷ in a moderate **Aristocracy**⁸; it is at present impossible to foresee whether it will, in [its] Operation, produce a **Monarchy**⁹, or a corrupt oppressive Aristocracy; it will most probably vibrate some Years between the two, and then terminate in the one or the other.

—George Mason

1. **paramount:** most important.

2. **unacquainted:** unfamiliar.

3. **sallerys:** salaries.

4. **conjunction:** joining.

5. **amenable:** agreeable.

6. **instigated:** caused.

7. **commence:** begin.

8. **aristocracy:** rule by a few, usually nobles.

9. **monarchy:** rule by one, usually a king.

A CLOSER LOOK

DECLARATION OF RIGHTS

At the time of the ratification debate, Americans across the nation complained that the Constitution did not include a bill of rights.

3. What arguments does Mason make about the lack of a Declaration of Rights?

A CLOSER LOOK

ABUSE OF POWER

Mason believed that presidents might abuse the power to grant pardons for treason in order to protect the guilty.

4. Can you think of any presidents who have granted pardons?

Interactive Primary Sources Assessment

1. Main Ideas

- Why does Madison believe that a society broken into many parts will not endanger minority rights?
- What does Mason argue might happen if the president had the power to pardon people?
- For each writer, what is one example of a fact and one example of an opinion?

2. Critical Thinking

Drawing Conclusions Who do you think makes the stronger argument? Explain your reasons.

THINK ABOUT

- what you know about the history of the United States
- the evidence used by each writer