

THE FEDERALIST PAPERS

A Readers' Guide to Our Constitution

The Federalist [Federalist Papers]

- A collection of 85 articles and essays published under the pseudonym *Publius* by Alexander Hamilton, James Madison, and John Jay, all promoting ratification of the U.S. Constitution.
 - *Sought primarily to influence the vote of New York's ratifying convention.*
 - *Published in New York newspapers between October 1787 and August 1788.*
 - *Together and separately they offer us perhaps our best, first-hand and detailed analysis of the meaning of the Constitution's words from three of the leading delegates who were present and participated in its writing.*

Timing

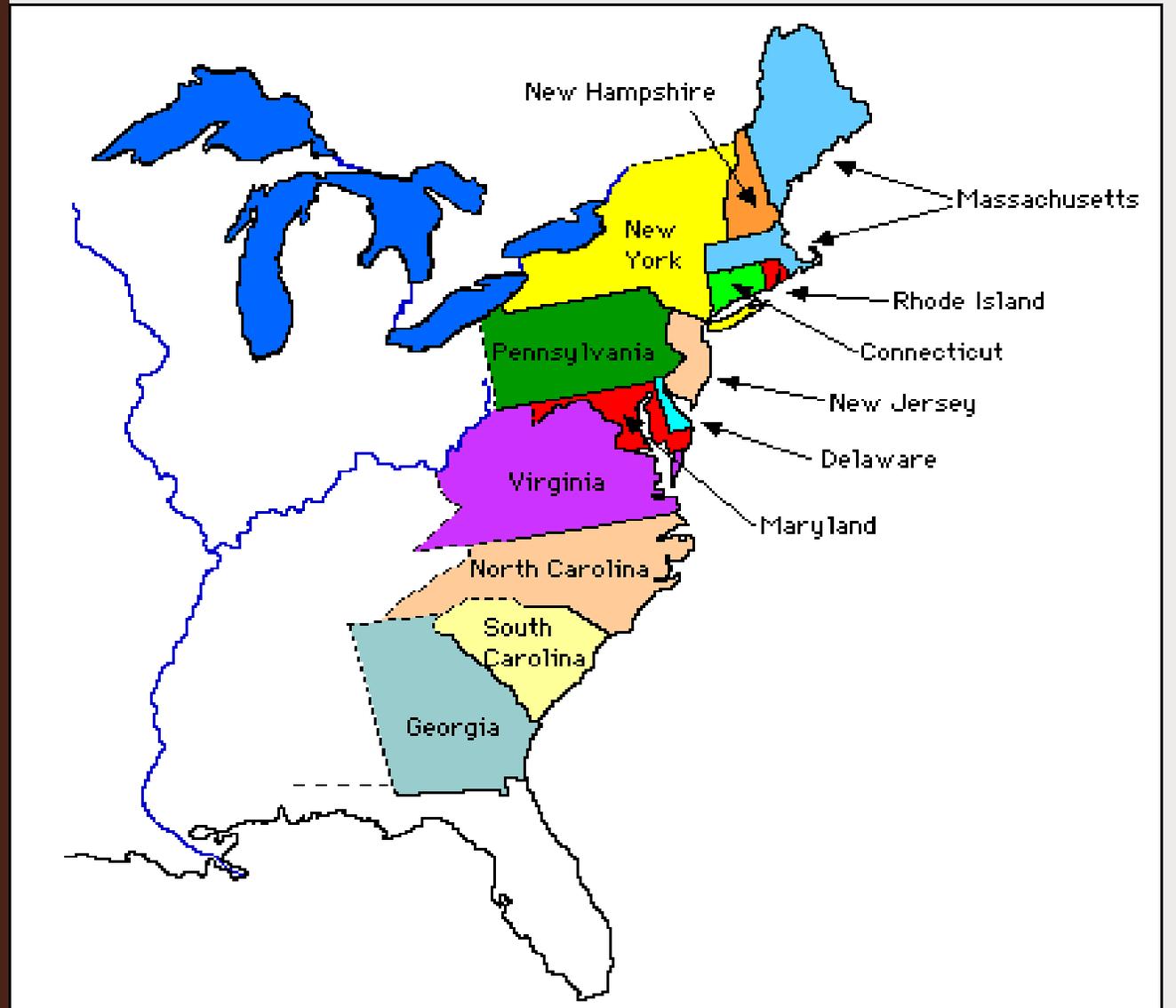
-New Hampshire ratified the new Constitution on June 21, 1788 [57/47 with 12 amendments] and the new government was formed according to Article VII. [Once 9 states had ratified, the document went into effect.]

-Virginia became the 10th State to ratify the new Constitution on June 25, 1788 [57/47 with 20 proposed amendments]. Supporters there had been supplied bound copies of *The Federalist* to use as a debater's handbook in making the case for ratification.

- The penultimate struggle for the Constitution played out in New York. Without New York's participation the new Republic would not work.

Political Geography

The Centrality of New York to the ratification process.



Alexander Hamilton

Organized the project of the Federalist Papers.

First Secretary of the Treasury.



James Madison

Author of many of the Federalist Papers
and the Bill of Rights.

Secretary of State.

President of the United States



John Jay

Governor of New York

First Chief Justice of the Supreme Court

Secretary of State in the Washington administration.



The Timeline for Ratification

- September 17, 1787 The Constitution is Signed and Goes to the States.
- September 27, 1787 CATO [An Anti-Federalist Manifesto] first appears in the New York press attacking the proposed new Constitution.
- October 18, 1787 Brutus [Another Anti-Federalist Manifesto] first appears in the New York press along with the first of a torrent of letters to the editor individually opposing the ratification of the new charter of government.

The Political Order of Battle in New York

- When New York selected its delegates to the state's constitutional convention only 19 of 46 were confirmed Federalists [supporters of the new Constitution].
- New York Governor George Clinton and Aaron Burr both opposed ratification.
- Alexander Hamilton assembled two other founding fathers [James Madison and John Jay] to mount America's first great political public relations campaign.

The Federalist Papers

- Alexander Hamilton [51 articles] 1, 6-9, 11-13, 15-17, 21-36, 59-61, and 65-85.
- James Madison [26 articles] 10, 14, 37-58 and 62-63.
- John Jay [5 articles] 2-5, and 64.
- Numbers 18-20 appear to have been a collaboration between Madison and Hamilton.

Long-term Significance of the Federalist Papers

- Together they are arguably the most reliable window into the Framers' intent expressed in the words of the Constitution – an intent to which so many strict constructionists attribute such great and lasting importance .
- By 2016 The Federalist Papers have been cited more than 300 times in Supreme Court interpretations of the Constitution.

Highlights from the Federalist Papers

- Federalist 10 – Madison’s discussion of how the Constitution will help to prevent rule by a majority faction [Checks and Balances].
- Federalist 14 - Madison’s argument that the U.S., despite its large size, can be governed justly as a republic, because citizens are able to participate indirectly.

Highlights from the Federalist Papers

- Federalist 39 – Madison’s defense of the idea of federalism – based on a system of dual sovereignty between State and National level government.
- Federalist 51 – Madison’s argument for a system of checks and balances to counter the threat of excess concentration of power in the hands of a few elites.

Highlights from the Federalist Papers

- Federalist 70 - Hamilton's argument for a single chief executive as the most effective way to organize the new government and provide for national security.
- Federalist 78 - Hamilton's argument that the judiciary is the weakest of the three branches and therefore suited to its central function of exercising judicial review.

Highlights from the Federalist Papers

- Federalist 84 – Hamilton’s argument against adding a bill of rights to the Constitution.
 - *It would be an unnecessary and complicating feature. Providing descriptions of what government cannot do, invites confusion and the creation of loopholes.*
 - *The Constitution itself contains a number of civil liberties protections and the constitutions of the states provide detailed protections to their citizens.*

A Reader's Guide to the Constitution

- The Federalist Papers provide us with first-hand insight into the minds of the men who wrote the Constitution and their thinking on the meaning of their project.
- They are an essential reader's guide to the Constitution and the debate that framed our nation's founding.

New York, North Carolina, and Rhode Island

- July 25th 1788 – Conditional Ratification Rejected in the **New York** Convention.
- July 26th 1788 – **New York** delegates ratify 30/27 with 31 proposed amendments.

- August 2, 1788 **North Carolina** votes against ratification 184/84.
- November 21, 1789 a second **North Carolina** convention ratified 194-77.

- May 29, 1790 **Rhode Island's** convention ratified 34/32.