

# Lincoln v Douglas

- Argument for Pop Sov
  - States and Localities
  - Civic Virtue and Informed Public
  - Anti-Federalists
- Lincoln and Federal Regulation of Territories
  - Slavery affects the national interest
  - Federalists
  - Civic Virtue?
  - Informed Citizenry?

# Federalist #9

- The petty republics of Greece
- Critiques of Republican Government
- The New Science of Politics
  - Enlargement of the Orbit
- Montesquieu, the Anti-Federalist, and the argument for small republics
  - Brutus I
- Hamilton on Large Republics
  - Combines Monarchy and Republicanism
  - Bigger is better

# Brutus I

- Part I
- General tendency of the US Constitution
  - Evidence for consolidation
  - Power of Taxation
  - Gradual Tendency of Power to Become Expansive
    - *Necessary and Proper Clause*

# Brutus I

- Part II
- Argument for Small Republics
  - Virtue of Democracy: Moderation
    - Quote from Montesquieu
  - Why Small?
    - Democracy vs Despotism
      - Qualities of Representatives
      - Qualities of Citizens
      - Quality of Law Enforcement
      - Quality of Legislators
    - Conclusion
      - Free and Equal Government = Small

# Federalist #10

## ■ Thesis

- Complaints against the state governments
- Not rules of justice or rights of minor party, but superior force of majority
- Increasing distrust of popular engagements and alarm for private rights
- Anti-Democratic?

# Federalist #10

## ■ The Problem

### – Definition of faction

- Majority or Minority – common impulse of passion
- Adverse to rights or aggregate interest of community

### – Methods of Curing faction

- 1) remove cause
- 2) control effects

# Federalist 10

## ■ CONTROLLING CAUSES OF FACTION

- 1) Destroy Liberty –folly
- 2) Give everyone the same passions
  - Nature of Human Beings
  - Protection of faculties
- Natural propensity of faction in mankind
  - Property
  - Problem of justice
- Virtue, Religion, Enlightened Statesmanship?

- CONTROLLING EFFECTS

- MINORITY FACTION – REPUBLICAN  
solution

- MAJORITY FACTION

- 2 POSSIBLE SOLUTIONS

- 1) PREVENT SAME PASSION IN A  
MAJORITY

- 2) RENDER THEM BY DISPERSION  
UNABLE TO CONCERT

- DEFECT OF DEMOCRACY

# Federalist 10

## – REPUBLIC

### ■ SCHEME OF REPRESENTATION

–1) DELEGATION OF REP TO SMALL NUMBER OF CITIZENS

■ REFINES AND ENLARGES PUBLIC VIEW

–2) EXTENDED SPHERE OF GOVERNMENT

■ RENDERS MAJORITIES WITH A COMMON MOTIVE TO INVADE RTS LESS LIKELY

# Lincoln v Douglas

- The Kansas Nebraska Act
- Bleeding Kansas
  - Majority Factions and Interests
- Federalist vs Antifederalist



# Madison's Letter to Jefferson

- Importance of the Letter
- Madison's Argument
  - Defects of the U.S. Constitution
    - No National Legislative Veto
      - States will fly apart
      - No means of protecting individual rights
        - Limits of Fed 10 in absence of Nat Leg Veto
    - The Senate
      - Republican Government
- The Civil War

