

CONTENTS

Introduction by Benjamin Fletcher Wright

<i>The First National Referendum</i>	1
<i>The Authorship of The Federalist</i>	7
<i>The Aims of a More Perfect Union</i>	11
<i>Human Nature, Motives, and Factions</i>	26
<i>The New Federalism</i>	41
<i>Direct and Representative Democracy</i>	49
<i>The Structure of a Free Government</i>	59
<i>Fundamental Law and the Judicial Guardians</i>	67
<i>The Rational Appeal to Self-Interest</i>	77

THE FEDERALIST

1. <i>Introduction</i>	89
2. <i>The Natural Advantages of Union</i>	93
3. <i>Union as a Requisite for National Safety</i>	97
4. <i>Relations with Foreign Powers</i>	100
5. <i>Separate Confederacies and Foreign Powers</i>	105
6. <i>Disunion and Dissension Among the States</i>	108
7. <i>Causes of Wars Among the States if Disunited</i>	113
8. <i>Consequences of Wars Between States</i>	119
9. <i>Union as a Barrier to Faction and Insurrection</i>	124
10. <i>The Size and Variety of the Union as a Check on Faction</i>	129
11. <i>The Value of Union to Commerce and the Advantages of a Navy</i>	136
12. <i>Union and the National Revenue</i>	142
13. <i>Union and Economy in Government</i>	147
14. <i>Representative Republics and Direct Democracies</i>	150
15. <i>Defects of the Confederation</i>	155

CONTENTS

16. <i>Inability of the Confederation to Enforce Its Laws</i>	162
17. <i>The Future Balance of State and National Powers</i>	167
18. <i>The Greek Confederacies</i>	171
19. <i>Medieval and Modern Confederacies</i>	176
20. <i>The Netherlands Confederacy</i>	182
21. <i>Defects of the Present Confederation</i>	186
22. <i>The Confederation: Lack of Powers and of Proper Ratification</i>	191
23. <i>The Necessity of an Energetic and Active National Government</i>	199
24. <i>To Provide for the Common Defense</i>	203
25. <i>The States and the Common Defense</i>	208
26. <i>The Powers of Congress and the Common Defense</i>	213
27. <i>The Enforcement of the Supreme Law of the Land</i>	219
28. <i>A National Army and Internal Security</i>	222
29. <i>The Regulation of the Militia</i>	226
30. <i>A General Power of Taxation</i>	231
31. <i>The Necessity of a National Power of Taxation</i>	236
32. <i>Exclusive and Concurrent Powers of Taxation</i>	240
33. <i>The Constitutionality of National Tax Laws</i>	244
34. <i>Concurrent Authority in Taxation</i>	248
35. <i>Further Reasons for an Indefinite Power of Taxation</i>	253
36. <i>Internal Taxes: Direct and Indirect</i>	259
37. <i>Problems Confronting the Federal Convention</i>	265
38. <i>Inconsistencies of Opponents of Ratification</i>	272
39. <i>Republicanism, Nationalism, Federalism</i>	280
40. <i>The Authority of the Convention</i>	286
41. <i>Powers Delegated to the General Government: I</i>	293
42. <i>Powers Delegated to the General Government: II</i>	302
43. <i>Powers Delegated to the General Government: III</i>	309
44. <i>Restrictions on Powers of the States</i>	317
45. <i>Powers and Continuing Advantages of the States</i>	324
46. <i>State and Federal Powers Compared</i>	329

CONTENTS

47. <i>The Separation of Powers: I</i>	336
48. <i>The Separation of Powers: II</i>	343
49. <i>Appeal to the People in Cases of Disagreement</i>	347
50. <i>Periodical Appeals to the People</i>	352
51. <i>Checks and Balances</i>	355
52. <i>The House of Representatives</i>	359
53. <i>Annual and Biennial Elections</i>	364
54. <i>The Apportionment of Representatives and of Taxes</i>	369
55. <i>The House and Knowledge of Local Circumstances</i>	374
56. <i>Adequacy of Representation in the House</i>	379
57. <i>The Popular Basis of the House</i>	383
58. <i>The Future Size of the House</i>	388
59. <i>National Regulation of Congressional Elections</i>	393
60. <i>Safety in National Control of Elections</i>	398
61. <i>Uniformity in the National Control of Elections to the House</i>	403
62. <i>The Nature and the Stabilizing Influence of the Senate</i>	407
63. <i>The Necessity of a Senate</i>	413
64. <i>The Senate and the Treaty Power</i>	420
65. <i>The Senate: Appointments and Impeachments</i>	426
66. <i>The Senate: Further Consideration of the Impeachment Power</i>	431
67. <i>The Executive</i>	436
68. <i>The Method of Electing the President</i>	440
69. <i>Comparison of the President with Other Executives</i>	444
70. <i>Advantages of a Single Executive</i>	451
71. <i>The Presidential Term of Office</i>	458
72. <i>Re-eligibility of the President</i>	462
73. <i>The Presidential Salary and Veto</i>	467
74. <i>The Military and Pardoning Powers of the President</i>	473
75. <i>The President and the Treaty Power</i>	475
76. <i>The President and the Appointing Power</i>	480
77. <i>The Powers of the President Concluded</i>	484

CONTENTS

78. <i>The Judges as Guardians of the Constitution</i>	489
79. <i>The Position of the Judiciary</i>	497
80. <i>Jurisdiction of the Federal Courts</i>	499
81. <i>Distribution of the Judicial Power</i>	505
82. <i>The State and the Federal Courts</i>	514
83. <i>Trial by Jury</i>	518
84. <i>The Lack of a Bill of Rights</i>	531
85. <i>Conclusion</i>	541
Index	549