

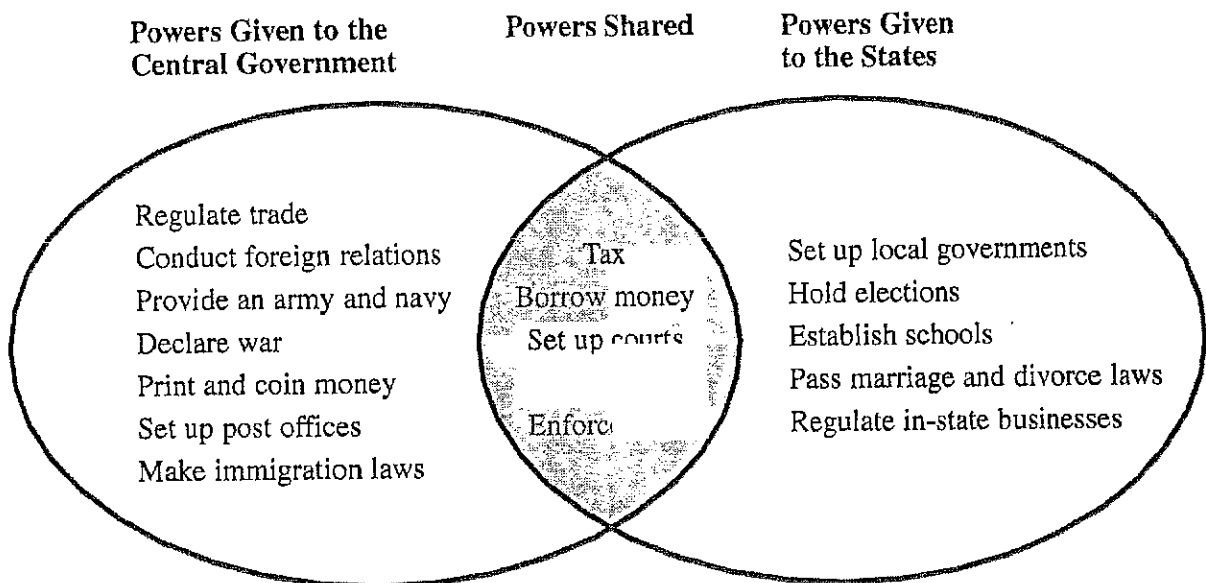
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Document A

Source: James Madison, *Federalist Paper #51*, 1788.

“In the compound republic of America, the power surrendered by the people is first divided between two distinct governments, and the portion allotted to each subdivided among distinct and separate departments. Hence a double security arises to the rights of the people. The different governments will each control each other, at the same time that each will be controlled by itself.”

Note: Madison's idea of division of power between central and state governments is known as Federalism. Specific power divisions can be seen in the chart below.



Document Analysis

1. A “compound” is something made of two or more pieces. What are the two pieces that make up Madison’s compound government?
2. What word ending in “ism” is another word for this kind of compound government?
3. How does this compound government provide “double security” to the people?
4. Using the chart above, can you see a pattern in the types of power the Constitution reserved for the State governments?
5. How does federalism guard against tyranny?

Document B

Source: James Madison, *Federalist Paper #47*.

“The accumulation of all powers, legislative, executive, and judiciary, in the same hands, whether of one, a few, or many, and whether hereditary, self-appointed, or elective, may be justly pronounced the very definition of tyranny.... (L)iberty requires that the three great departments of power should be separate and distinct.”

Source: Constitution of the United States of America, 1787.

Article 1, Section 1

All legislative powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.

Article 2, Section 1, Clause 1

The executive power shall be vested in a President of the United States. He shall hold his office during the term of four years, and, (serve) together with the Vice-President, chosen for the same term....

Article 3, Section 1

The judicial power of the United States shall be invested in one Supreme Court, and in such inferior courts as the Congress may from time to time ordain and establish. The judges, both of the supreme and the inferior courts, shall hold their offices during good behavior....

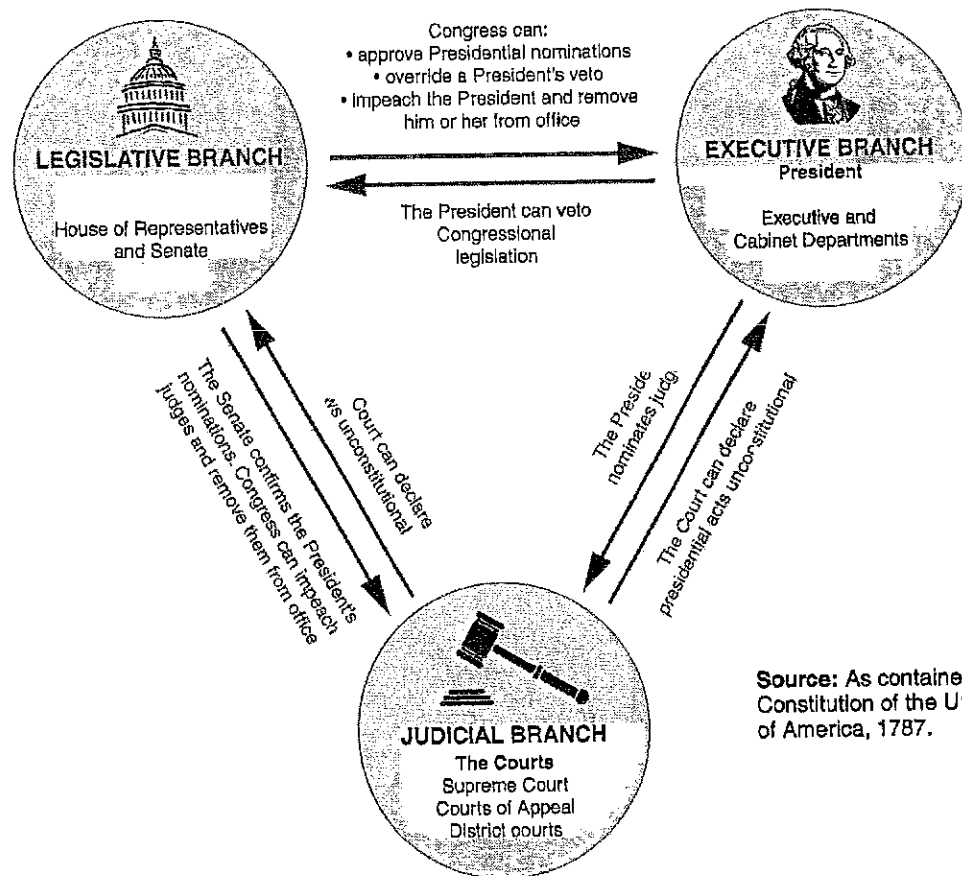
Document Analysis

1. What is the main idea of the Madison quote?
2. Does Madison say it is possible to have tyranny in a democracy? Explain.
3. What is the primary job of each branch?
4. What would James Madison say about allowing a person elected to the House of Representatives to serve at the same time on the Supreme Court? Explain his thinking.
5. How does the separation of powers guard against tyranny?

Document C

Source: James Madison, *Federalist Paper* #51, 1788.

"...the constant aim is to divide and arrange the several offices in such a manner as that they may be a check on the other.... (The three branches) should not be so far separated as to have no constitutional control over each other."



Document Analysis

1. What is the main idea in the Madison quote?
2. What is one way the legislature can check the power of the chief executive?
3. What is one way the President can check the power of the Supreme Court?
4. What is one way the Supreme Court can check the Senate?
5. According to this document, how did the framers of the Constitution guard against tyranny?

Document D

Source: Constitution of the United States of America, 1787.

Article 1, Section 2, House of Representatives

Clause 3: Representatives ... shall be apportioned ... according to ... (population)... The number of representatives shall not exceed one for every thirty thousand, but each state shall have at least one representative; and until (a census is taken within three years) the state of New Hampshire shall be entitled to three, Massachusetts eight, Rhode Island ... one, Connecticut five, New York six, New Jersey four, Pennsylvania eight, Delaware one, Maryland six, Virginia ten, North Carolina five, South Carolina five, and Georgia three.

Article 1, Section 3, Senate

Clause 1: The Senate of the United States shall be composed of two senators from each state, chosen by the legislatures thereof for six years; and each senator shall have one vote.

Document Analysis

1. On what basis – area, population, or wealth – was the number of representatives in the House determined?
2. Which states had the smallest representation in the House of Representatives? How many?
3. Which state had the most Representatives? How many?
4. Who would have been happier with their representation in the House, small states or large states? Why?
5. Who would have been happier with their representation in the Senate, small states or large states? Why?
6. How did this small state – large state compromise guard against tyranny?