

# Representative Federalism and the 2020 Census

## *How has the Census Impacted Representative Federalism?*

When the Constitution was written many people had concerns about the transition from a government dominated by the states to one being dominated by a central government. Specifically, people were fearful about being governed by people in states who had different concerns and challenges from them. One of the most **contentious** disagreements was between large and small states. Large states wanted representation in Congress to be based on population, giving those states the largest share of votes. Smaller states wanted all states to have equal votes in Congress. The compromise was to create a congress with two chambers: the Senate and the House of Representatives. Each state would have two seats in the Senate, while seats in the House of Representatives would be distributed based on the population of each state. Every ten years the nation conducts a census and **reapportions** seats to each state based on the new populations.

After the Constitution was written it had to be **ratified** by nine states before it became law of the land. Ratification was not a guaranteed thing; in fact it was bitterly debated. To address some of the concerns with the new constitution James Madison, Alexander Hamilton and others wrote a series of essays we now call the *Federalist Papers*. In *Federalist Paper #51* Madison or Hamilton addressed some of the concerns people had about representation in the new federal government.

Read the excerpt and answer questions 1 & 2 below.

### **Federalist Paper #51**

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 second method will be exemplified in the federal republic of the United States. Whilst 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.

Full Document from National Archives: <https://founders.archives.gov/documents/Hamilton/01-04-02-0199>

Hamilton, Alexander, or James Madison. Federalist No. 51: "The Structure of the Government Must Furnish the Proper Checks and Balances Between the Different Departments." *New York Packet*, February 8, 1788.

1) According to the document what are the important things to guard against in a republic?

2) According to the document how will the new Constitution protect against this?

<b>Reapportion:</b> decide how many representatives each state receives. <b>Ratified:</b> approved <b>Oppression:</b> unfair treatment <b>Derived:</b> comes from <b>Contentious:</b> Controversial/ Intense debate
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*Discuss the following with question your partner before you answer independently.*

3) Why might the census be important to the argument made in *Federalist # 51*? (Think about how an inaccurate census count might impact Madison's argument.)