



Federalist 54 (Answer Key)

Source

- James Madison or Alexander Hamilton, “The Apportionment of Members Among the States” (Federalist 54), New York Packet, February 12, 1788, https://avalon.law.yale.edu/18th_century/fed54.asp.

Section	Primary Source: Federalist 54	Summary in Your Own Words
1	To the People of the State of New York: THE next view which I shall take of the House of Representatives relates to the appointment of its members to the several States which is to be determined by the same rule with that of direct taxes.	To decide how many representatives each state will get, the same rule will be used for representation and taxes.
2	It is not contended that the number of people in each State ought not to be the standard for regulating the proportion of those who are to represent the people of each State. The establishment of the same rule for the appointment of taxes, will probably be as little contested; though the rule itself in this case, is by no means founded on the same principle. In the former case, the rule is understood to refer to the personal rights of the people, with which it has a natural and universal connection. In the latter, it has reference to the proportion of wealth, of which it is in no case a precise measure, and in ordinary cases a very unfit one. But notwithstanding the imperfection of the rule as applied to the relative wealth and contributions of the States, it is evidently the least objectionable among the practicable rules, and had too recently obtained the general sanction of America, not to have found a ready preference with the convention.	The number of people representing a state is generally based on the people, and the method to determine taxes is generally based on wealth, but that doesn't work. The current proposal is the least objectionable.



Section	Primary Source: Federalist 54	Summary in Your Own Words
3	<p>All this is admitted, it will perhaps be said; but does it follow, from an admission of numbers for the measure of representation, or of slaves combined with free citizens as a ratio of taxation, that slaves ought to be included in the numerical rule of representation? Slaves are considered as property, not as persons. They ought therefore to be comprehended in estimates of taxation which are founded on property, and to be excluded from representation which is regulated by a census of persons. This is the objection, as I understand it, stated in its full force. I shall be equally candid in stating the reasoning which may be offered on the opposite side. “We subscribe to the doctrine,” might one of our Southern brethren observe, “that representation relates more immediately to persons, and taxation more immediately to property, and we join in the application of this distinction to the case of our slaves. But we must deny the fact, that slaves are considered merely as property, and in no respect whatever as persons. The true state of the case is, that they partake of both these qualities: being considered by our laws, in some respects, as persons, and in other respects as property.</p>	<p>While it may seem that if enslaved people are counted toward taxation, then they shouldn’t be counted toward representation and vice versa, this isn’t true, because enslaved people, by law, are sometimes considered people and sometimes considered property.</p>



Section	Primary Source: Federalist 54	Summary in Your Own Words
4	<p>Let the case of the slaves be considered, as it is in truth, a peculiar one. Let the compromising expedient of the Constitution be mutually adopted, which regards them as inhabitants, but as debased by servitude below the equal level of free inhabitants, which regards the SLAVE as divested of two fifths of the MAN. “After all, may not another ground be taken on which this article of the Constitution will admit of a still more ready defense? We have hitherto proceeded on the idea that representation related to persons only, and not at all to property. But is it a just idea? Government is instituted no less for protection of the property, than of the persons, of individuals. The one as well as the other, therefore, may be considered as represented by those who are charged with the government.</p>	<p>The author expresses the position that an enslaved person is not valued equally to a man who is not enslaved and that enslaved people are considered to be property.</p>
5	<p>I must confess that it fully reconciles me to the scale of representation which the convention have established. In one respect, the establishment of a common measure for representation and taxation will have a very salutary effect. As the accuracy of the census to be obtained by the Congress will necessarily depend, in a considerable degree on the disposition, if not on the co-operation, of the States, it is of great importance that the States should feel as little bias as possible, to swell or to reduce the amount of their numbers. Were their share of representation alone to be governed by this rule, they would have an interest in exaggerating their inhabitants. Were the rule to decide their share of taxation alone, a contrary temptation would prevail. By extending the rule to both objects, the States will have opposite interests, which will control and balance each other, and produce the requisite impartiality.</p> <p style="text-align: right;">PUBLIUS.</p>	<p>While the system isn’t the best, it will work because it will ensure that states are honest in their count because one system (representation) helps them and the other (taxes) hurts them. Using it for both will keep states honest.</p>