

A Consideration of the State of our Republic

Roger Gamache, 12.13.2012

This paper is the result of my growing sense of distress regarding the apparent inability of our Federal Government to address critical issues with any degree of focus, and more importantly, with any evidence of positive results. From my position, it seems that our political history of the past 15 years is marked by increasingly narrow interests playing a zero sum game that ignores the needs and aspirations of the citizenry. All the while, we live in a world that becomes increasingly dangerous to our liberty and freedom, and where the efficacy of our traditional defenses of geographic isolation and scale are being eroded. At the risk of becoming the morosely Gibbonesque, I have the decided feeling that our leaders are busy tuning their violins while kindling is being stacked both inside and outside of our borders. This feeling was amplified during a recent business trip to “inside the beltway.” I was confronted by a focus even more intense than during the recent election on “winning at any cost” over considerations of general public welfare. The general public good isn’t even mentioned in passing. The discussion consists of merely debating points and bargaining positions that are perceived by our leaders to be the currency of political power.

Realizing that I needed some perspective on these issues, I undertook a review of the intentions of our founding fathers. I hoped that by returning to the pristine origins of our government, I would be able to re-visualize how our Republic had been envisioned to function, and begin to understand the changes we need to make to restore direction and purpose to our national politics. And so, I was led to Federalist Papers #10, where James Madison discusses the origins and solutions for political faction. In re-reading an essay written almost 225 years ago, I was struck by how contemporary the concerns and analysis appeared. The language was so compelling that I was tempted to simply read the entire essay to you – but that is somewhat outside the rules of the club.

Faction was no stranger to Madison:

The instability, injustice, and confusion introduced into the public councils, have, in truth, been the mortal diseases under which popular governments have everywhere perished...

Complaints are everywhere heard ... that our governments are too unstable, that the public good is disregarded in the conflicts of rival parties, and that measures are too often decided, not according to the rules of justice and the rights of the minor parties, but by the superior force of an interested and overbearing majority.

Other causes will not alone account for many of our heaviest misfortunes; particularly for that prevailing and increasing distrust of public engagements and alarm for private rights... These must be chiefly, if not

wholly, effects of the unsteadiness and injustice with which a factious spirit has tainted our public administration.

Definition of Faction: *By faction I understand a number of citizens, whether amounting to a majority or a minority of the whole, who are united and actuated by some common impulse of passion or of interest adverse to the rights of other citizens or to the permanent and aggregate interests of the community.*

Two Cures – Remove Causes or Control Effects.

Two ways to remove causes:

1. Destroy Liberty *liberty is to faction what air is to fire... an element without which it instantly expires. But it could not be less folly to abolish liberty, which is essential to political life than it would be to wish the annihilation of air...*

2. Create citizens with the same opinions, passions, and interests. Adams concludes this is impossible... **A.** *as long as the reason of man continues fallible, and he is at liberty to exercise it, different opinions will be formed. B ... Diversity in the faculties of men from which the rights of property originate, is not less an insuperable obstacle... The protection of these faculties is the first object of government. From the protection of different and unequal faculties of acquiring property, the possession of different degrees and kinds of property immediately results... and ensues a division of the society into different interests and parties... The latent causes of faction are thus sown in the nature of man...*

An attachment to different leaders ambitiously contending for preeminence and power have divided mankind into parties, inflamed them with mutual animosity, and rendered them much more disposed to vex and oppress each other than to co-operate for their common good. But the most common and durable source of factions has been the various and unequal distribution of property. The regulation of these various and interfering interests forms the principal task of modern legislation...and involves the spirit of faction in the necessary and ordinary operations of government.

The apportionment of taxes on the various descriptions of property is an act which seems to require the most exact impartiality; yet there is, perhaps, no act in which greater opportunity and temptation are given to a predominant party to trample on the rules of justice. Every shilling with which they overburden the inferior number is a shilling saved to their own pockets...

So Control Effects:

Here Adams commends two aspects of the proposed Federal Republic:

1. Representative form of government: *to refine and enlarge the public views, by passing them through the medium of a chosen body of citizens, whose wisdom may best discern the true interest of their country, and whose patriotism and love of justice will be least likely to sacrifice it to temporary or partial considerations. Under such a regulation it may well happen that the public voice, pronounced by the representatives of the people will be more consonant to the public good than if pronounced by the people themselves... **But a warning:** on the other hand, the effect may be inverted. Men of factious*

tempers, local prejudices, or of sinister designs, may, by intrigue, by corruption, or by other means, first obtain the suffrages, and then betray the interests of the people. Therefore, a second aspect:

2. A larger Republic, where it becomes harder to inflame the political process where there is a consciousness of unjust or dishonorable purposes, communication is always checked by distrust in proportion to the number whose concurrence is necessary.

Madison then concludes Federalist 10 with a lengthy analysis of how the diversity of interests inherent in a larger republic would inhibit the formation of factious majorities. With clarity of hindsight, he can be forgiven his failure to anticipate the bifurcation of the republic into two large opposing factions which could only reach synthesis through a bloody and disastrous Civil War.

After review of this basic text, I was led to consider the question of “What Would Madison Think?” of the current state of his republic. Some observations:

1. I believe he would view the current structure of government with pride. In general terms, the system works, mediating the popular sentiments of the day to provide a steady environment that preserves individual rights and liberties.
2. He would recognize and likely embrace the current political practice, as noisy and rough as it has become. Twitter and Facebook create bigger audiences, but are no less factious than the taverns and coffee houses of revolutionary Philadelphia. Technology makes the creation of a large audience easier. But let us not forget that Ben Franklin owned a print shop, and a broadsheet could be composed, printed, and distributed overnight.
3. I believe Madison would be disappointed by, but not surprised at, the lack of statesmanship and patriotism within our current leadership. Much of the structure of our government: the division of powers, checks and balances, Bill of Rights, were drafted with a clear understanding of the general lack of public virtue (the framers seemed to share a Calvinist view of human nature...). The system anticipates a lack of virtue, and in a sense, works because of this.

However, Madison believed that the role of political leadership is to provide a moderating and judicious limit to the political passions of the moment, and therefore, would likely be disappointed by the quality of current leadership. His vision of political life and leadership was shaped by his own experience where leaders are called forth from their successful private lives. They serve out of a sense of duty and not because they seek to be a member of a perpetual ruling class.

Taking this notion a bit further, I believe that our forefathers had a very clear understanding that the political experiment on which they were embarking had a very real and present danger of failure. Simply consider Franklin’s comment on signing the Declaration of Independence: “We must hang together or certainly we will hang separately”. It was the immediate and present possibility of failure that ultimately provides the motivation for thoughtful compromise. I believe that the current level of political gamesmanship is tolerated because our success has blinded us to the possibility that this great experiment and the freedom that we enjoy as a result cannot be lost. Our leaders behave as if we are too big to fail, and the seeds of our destruction lie in this behavior.

Extending this discussion, Madison would identify that the venal nature of our current political leadership reflects the attitudes of the electorate. However, being a realist, he would not have depended upon the innate virtue of the electorate (unlike Jefferson). Indeed, he thought that was an illusion. Rather he would look to devise structures that would call forth a sense of civic virtue on which our republic is based. At the core of that virtue is a commitment to liberty, and an understanding that personal liberty does not exist in a solipsistic vacuum, but rather is created by the individuals understanding that by granting others liberty and defending other's rights, we earn our own freedom.

And so, the key question becomes, what systems should we create to instill in the citizenry an understanding of personal freedom and a willingness to defend it?

My consideration of this question keeps leading me into a very strange conclusion. I observe the commitment and dedication of my parent's generation to our republic. I note the general dissipation of that understanding and commitment in my own generation. And I view with alarm how far away from these beliefs my children have moved. At the same time, I have experienced the patriotism and commitment to orderly civic life present in Swiss society. And therefore I wonder if Madison would not be an advocate of universal service as a duty of citizenship?

An analysis of a system of universal civic service is well beyond the scope of this paper, and will be need to be postponed for another time. Therefore, I will close with another comment based in Madison's political theory.

If the purpose of representative government is to have a filter to dampen the fractious passions of the electorate, we might want to consider adopting a standard for our elected leaders that focuses on their abilities to compromise and work collaboratively, rather than the current standard of ideological purity. Those of us who live in a one-party district seem to be drawn to the candidate who promises to be the most stalwart in the defense of the ideology of the prevailing party. Would it not be better for all concerned if we place a higher value on the candidate's proven ability to create compromise and provide constructive, results-focused leadership?

Ideological purity is a useful civic virtue in the Taliban and some communist governments. For a pluralistic, democratic government the primary virtue should be a commitment to defense of liberty, which inherently means a defense of other's liberties. It would be a small step, but one that will definitely promote the progress of the republic.