



MEN WERE NOT ANGELS- MEDISONIAN VIEW OF GOVERNMENT



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ABSTRACT

Unfortunately, men are not angels and administration is an important tool to provide internal and external controls. Madison (1787b) states that assuming any form of government can secure liberty or happiness without any virtue in the human being is an imaginary idea. The virtue, in fact, should be used to select the rulers. The selection of the rulers who will be exact protectors of the public prosperity is paramount for the stability of government. Madison claims that people, by nature, have different religions, ambitions, and perceptions about government. Considering all these, they follow different leaders. Madison did not believe that a real democracy can propose a treatment for the badness of factions. In society, only very few citizens can assemble and administer the government in person. Pure democracy, therefore, does not work with the factions in the society. Madison also asserted the need for additional precautions in the Constitution to restrict government and protect freedom. The most important one was the dividing and balancing of powers. Ultimately, political freedom needs economic freedom, and vice versa. To protect both, there should be limited government. Actual constitutional government is a potential alternative to the vision of a perfect design society. The idea is to operate the principle of self-organization.

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Keywords: Madison, Democracy, Government, Constitutional, Power, Liberty.

Contribution/ Originality

This study is one of very few studies which have investigated the Medisonian view of government. Medison says that "If men were angels, no government would be necessary. "If angels were to govern men, neither external nor internal controls on government would be necessary." Unfortunately, men are not angels and government is necessary tool to provide internal and external controls.

1. INTRODUCTION

"If men were angels, no government would be necessary. If angels were to govern men, neither external nor internal controls on government would be necessary."

Related to nature of man, human society, and the proper structure of government, this statement from "The Federalist No. 51" is a brief summary of the American political system. Unfortunately, men are not angels and administration is an important tool to provide internal and external controls.

2. GOVERNMENT

In 1787, to win ratification of the New York State convention, together with Alexander Hamilton decided to publish a number of articles for defending and explaining the document in the New York City newspapers. He

engaged James Madison and John Jay to help him. Three of them, under the name of "Publius," wrote eighty-five articles and called as Federalist papers (Wilson and Dilulio, 2004).

James Madison, who is considered as a father of the Constitution, was born on March 16, 1751, in Port Conway, Virginia. His family was wealthy enough to support him throughout his life and allowing him to concentrate on politics and the intellectual pursuits he loved" (Smith, 2003). The Federalist No. 10 and 51, which are written in 1787, recommend ratification of the Constitution to the people of the State of New York. These two essays are considered what makes James Madison one of the well-known political philosophers in the United States political history. Madison (1788a) states that assuming any form of government can secure liberty or happiness without any virtue in the people's imaginary idea. The virtue, in fact, should be used to select the rulers. The selection of the rulers who will be exact protectors of the public prosperity is paramount for the stability of government. At this point, Madison states that the rulers should be capable of ruling the Government. While ruling, the rulers should decide in accordance with the rules of justice and with the rights of the secondary party. Relating to Madison, Epstein (1984) argues that the relative weakness of oppressive partisans, rather than the distillation of their views by chosen elite, is the best available cure for overcoming oppressive partisanship. Madison (1788b) claims that people, by nature, have different religions, ambitions, and perceptions about government. Considering all these, they follow different leaders. These specifications provoke individuals to mutual hostility and cause to oppress each other. Besides, these conditions drive them to cooperate for their common good. That is why most people show a strong desire to take part in the factions to meet their demands. Otherwise, they can be subject to wide range and unequal distribution of property. In such a realm that is ruled by competition, the most powerful faction in the society takes the larger steak from the public weal. Conversely, the weakest faction takes less, which in turn causes instability in most society.

Madison (1787b) cites two methods to overcome the mischief of faction. The first one is to exclude its root causes that can be achieved in two ways. The first is the destruction of liberty, which would be very detrimental for the society. This happens generally in totalitarian governments. Instead of curing the problem, removing liberty will eventually makes the situation worse. Therefore, it is unwise to implement it. The second is to provide every citizen the same options, the same desires, and the same interests. In fact, this absolute equality is against the human nature and can only be succeeded by imposing them on the society. Contrary to this notion, human nature, which divides mankind into the parties, inflames them with mutual hostility. Besides, the wide range and unequal distribution of property are the most well-known and long lasting source of factions. Madison (1787a) suggests that factions cannot be totally removed for the sake of the stability of republican government. Since there isn't any way to remove the factions in the society, as a second option Madison focuses to control its detriments to overcome the mischief of factions. Unfortunately, this is only possible in totalitarian regime and, even in the totalitarian regime, it is almost impossible to force the people think in the same direction. In 1786, Madison conducted a research, which can be considered to be the most fruitful piece of scholarly research ever carried out by an American (Kernell, 2003). In the same year, Madison summarized his findings in an article named "Notes on Confederacies." In the article, his main theme was how confederacies such as America had fared throughout the history. He concluded by point out that most countries had failed terribly because of the system they followed. He later wrote another article named "Vices of the Political System of the United States," focusing on the detailed problems of the Constitutions. Madison concluded that the convention should have to go beyond amending the articles and should create a completely new government. Madison did not believe that a real democracy could propose a treatment for the badness of factions. In society, only few of citizens can gather and administer the government in person. Pure democracy, therefore, does not work with the factions in the society. For Madison, the United States would have a representative government rather than a real democracy. In addition, he had little attraction for the speculative politicians who supported the direct rule of the people. He further argued that in real democracies nothing would stop the majority's abuse of a "weaker party or the obnoxious individual". According to Madison, in such a system, factions will be looking for common interest and passion and are not likely to co-operate each other (Kernell, 2003).

In Madisonian view, one should be realistic when setting up a new government by taking the human nature into the account. The system should be built upon controlling over the human nature. New government, in this sense, should be a republic in which the people elect their representatives to govern in their best interests. Its power should be restricted to the extent that the government could achieve to control itself. It was also preferable to direct democracy, for it was isolated enough from inconsistent public opinion to control the governed as well.

Madison defines a republic as the scheme of representation takes place. It opens a different way, and pledges the cure. But Madison knew that; one faction or group with a common desire may oppress other, smaller ones is a great danger in any republic. He concurred that factions were less of a danger in large nations than in small ones (Grade, 1999). Larger republics had more splitting of interest and consequently had more factions. According to Christie (2005) Madison predicted that individual liberties would be safer in a large and extended republic comparing to smaller one. Besides, he states that; the larger the republic, the less remarkably that they could dominate and violate minority rights. Madison describes the Constitution as a device to put ambitious men against each other until they exhaust themselves and after that they will have no remaining energy with which to oppress others. Thus, especially in vast nations it is "less probable that a majority of the whole will have a common motive to invade the rights of other citizens" (The Federalist No. 10). It is clear that; a nation such as America would be too large for any one faction to dominate others.

To ensure that not to factional tyranny could occur, Madison felt that power must be divided and the faction's desire must be made to react with other faction's desire. In White (1987) Madison views the three branches of government as potential enemies who must be ensured with weapons that they know how to use as well as motives that will lead them to use those weapons without any obstacle if and when they must be used. This can be accomplished by splitting the federal government into legislative, executive, and judicial branches that are supposed to compete for power. None of them could earn the upper hand and so it would be impossible for a person or faction to control the government through any one office. Hofstadter (1948) summarizes the great extent of the new republic, as recommended in Federalist 10, and the opposed institutions analyzed in Federalist 51, add up to "a harmonious system of mutual frustration. " He discusses that; a free society cannot coexist with a redistributive state (there is no third way); people must be ever vigilant to ensure that majorities are excluded from violating the rights of minorities in the name of distributive justice.

For the republican system, however small the republic may be, the representatives must be improved to large numbers, in order to protect against the secret plot of a few. Besides, in order not to have confusion of multitude, the number must be restricted to certain number. Moreover, according to Madison, each representative will be chosen by a lot of citizens to hinder practicing vicious arts by them. Additionally, elections are too often carried, and the right to vote of the human beings will be freer, and will be appear to center on men who possess the most valued value, and established characters.

For the governmental structure, Madison describes the Government as an evil. On the other hand, he adds that having a Government is necessity. Since it exists, and the issue of Government should be solved, there should not be perfect form of government; instead the least imperfect Government form is better. For Madison, "The essence of government is power; and power, live as it must be in human hands, will ever be liable to abuse." The real question that concerned Madison, and the other Framers of the U.S. Constitution, was how to avoid the abuse of governmental power while protecting individual rights to life, liberty, and property. Madison's aim was to create a basis and structure of government that would protect human and property and stand the test of time. His aim was justice under the law of liberty (Kernell, 2003). Madison regarded it completely clear that individuals and property are the two great subjects on which Governments are to undertake; "and that the rights of persons, and the rights of property, are the objects, for the protection of which Government was instituted."

Madison supported limited government not only he believed it was just but because he known that limiting government to the defense of individuals and property avoids corruption and places the basis for the emergence of a

unprompted market order and wealth creation. Madison preferred free trade and contrasting government involvement. He called himself a "friend to a very free system of commerce" and considered as self-evident the idea "that commercial shackles are generally unjust, oppressive, and impolitic." He known that "all are benefited by exchange, and the less this exchange is limited by Government, the greater are the proportions of benefit to each." Madison states that; to prevent rent seeking and corruption, economic freedom must succeed; people must admit a rule of law that treats people equally under the law and protections private property rights and freedom of contract.

The delegating the people's power to representatives, on the other hand, would improve and expand the public opinions and discourage the vicious passions of the factions that had destroyed so many republics of the past. Madison concluded that; providing the people an indirect voice in creation the laws would more possible assist the public good than would straight democracy.

Madison also asserted the need for extra protections in the Constitution to check government and keep freedom. The most significant one was the separation and balancing of powers. Madison and the other Framers of the Constitution dreaded the steady concentration of power in one division of government. His explanation to this danger was completely pragmatic. He concurred that the leaders of each branch must have "the necessary constitutional means, and personal motives, to resist intrusion of the...others. Ambition must be made to counteract ambition."

He argues in *The Federalist* 51 that the competition for power within the government will make every public official jealously suspicious of every other, turning each into a guard over the public rights. He states that every branch have a motivation of its own; and consequently should be constituted, that the associates of each should have as little agency as possible in the appointment of the members of the others. Although it may not be practical for judiciary branch, he mentions the significance of the same foundation of authority. The individual interest must be connected with the constitutional right of place and abuses of the government should be controlled.

Since the legislative system has huge power on the system, Madison claims that the power should be divided. He claims that legislative branch is more dangerous because it is more close to population. It may exaggerate the population demand. In the *Federalist* No 51 article he talks about additional two considerations, which are appropriate to the America's federal system. First, he compares the Republic of America with the single republic. He has a conclusion that; the single republic does not have enough safety for the rights of people. In a single republic, all power submitted by the people and they submit it to the administration of a single government, which distributes the control to the divisions of government. On the other hand, in the multiple of America, the power surrendered by the people and in the first step it is divided between two distinct governments, which are Federal, and State Governments. In the Federal level, House of Representatives are selected for 2 years term according to popular vote, and the Senate is selected for six years. Although the House and the Senate members maybe in the same party; because of the different interests, they may be struggling each other. After dividing the power between the Senate and the House, the rest of the power submitted to each subdivided among distinct and separate governments. Each of these divisions should have different mode of elections, and different principle of actions. He states that the weaker the legislative branch the safer will be the system. With the divided power, double security will be aroused to the rights of the people. The different governments will control each other; also each will be controlled by itself.

Second, he concludes that not only to protector the society against the domination of its rulers; but to protector one part of the society against injustice of the other part has a great importance in a republic. United majority around the common interest makes the minority vulnerable. Although humans are capable of cooperating, as they get power they do not care about it. In this case the government should create a will within the public to be independent of the majority which maybe the best but unsafe solution. He discusses that; second solution can divide the society so many parts, benefits and classes of citizens to compose more factions. By this method; there will be more factions and all of them will effort to get benefit from public weal. So, the more factions will cause more security for minority rights.

In Madison's view, justice, liberty, and property are inseparable: "That alone is a just government," wrote Madison that objectively obtains to every man, whatever is his own. Madison viewed justice as "rules of just

conduct," not as some formally authorized distribution of income that pleases some subjective criterion of "social justice." Madison accepted Adam Smith's distinction between perfect and imperfect rights, where "perfect rights" are related with agreement and commutative justice, while "imperfect rights" are related with force and distributive justice (Dorn, 2001). Imperfect rights, such as the "right to welfare," are rights only in a "metaphorical sense": they cannot be used without violating someone's property rights. True justice involves the security of property rights, not the promotion of the welfare state. No one has the right to be empathetic with other people's money.

According to Madisonian sense, the upcoming of limited government in developing democracies will depend on adherence to the rule of law and justice (Dorn, 2001). Citizens and leaders must think about the correct possibility of government and recognize the dangers of worldwide suffrage when there is no real limit to the possibility of government. Madison's fundamental question is still relevant today: How can we protect individual rights against majoritarian interests that violate private property rights? Related to this question; an objection to Madison can be voiced that; If the administrators of every government are actuated by views of private interest and ambition, how is the welfare and happiness of the community to be the result of such shaking contrary interests (Ketcham, 1986).

To give an answer to this question, Wills (1981) expresses his view that; a true understanding of Madison leads to the conclusion that interest groups politics and institutional veto do not have to be made judgment or defended, because Madison was arguing neither. Madison pitted interest against interest in a constructive process of self-correction. Madison intended the Constitutional system to be both a mechanistic frustrator of selfish interests and a generator of public-spirited officials. Madison asserts that a large national area will bring forth "a chosen body of citizens, whose wisdom may best perceive 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." (Federalist 59).

3. CONCLUSION

Growing democracies need to consider the long-run implications of different rules, not just look at short-term policy options for sharing income and wealth. They need to encourage an implementation of law and liberty. Moreover, they have to remember that change will take time and that there is no applicable third way. Ultimately, political freedom demands economic freedom, and vice versa. To protect both, there should be limited government. Real constitutional government is a possible choice to the vision of a perfectly designed society. The idea is to apply the principle of self-organization.

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