Survey of American Political Thought Notes: 10/5/15

*Federalist Paper 10* (Madison)

- Madison’s definition of faction: a number of citizens, either a majority or minority, united by passion, interest, and impulse, who are adverse to the rights of others
- Factions are everywhere – a part of our human nature
  - Can be seen in our
    - Zeal for difference of opinions: when we think we are right; we can trample others’ rights/opinions
    - Unequal distribution of wealth: protect our own interests over the rights of others (haves); justify our reasoning for taking from haves to protect our interests because it “won’t hurt the ones who have” (have-nots)
    - Individuals cannot be their own judge – interests can bias/cloud our judgement (not all the time, however, it is a distinct part of human nature)
      - By allowing our interests to cloud our judgement – can harm the rights of others
  - This is the greatest flaw in man that threatens our republic
- How to deal with factions? Madison examines causes and effects of factions
  - Dealing strictly with causes
    - Destroy liberty (impossible situation for the American experiment the Founders were creating)
      - Liberty is to faction as oxygen is to fire
      - Both liberty and oxygen are vital to life, yet can be a cause of destruction
    - Give every person the same opinions, passions, and interests (impossible due to human nature)
  - Controlling effects (why our government has horizontal/vertical checks on government power)
    - As the country grows, people develop variances in opinion, limiting the creation of a group of people sharing all the same opinions to create an overbearing faction
      - No one will agree on every single issue – impossible for one person or faction to take over because of how many horizontal/vertical checks they would endure plus the winning of a majority of the people would be nearly impossible (you can’t please everyone)
    - With a growing country, beliefs can change from issue to issue (hence the creation of RINOs/DINOs)
      - Ex. Conservative libertarians vs. progressive libertarians
    - Constitutional design limits factious take-over because of how many levels of government/the election of leaders
  - What about our two-party system today? Can that be seen as “factious”?
    - Since no one person believes the exact same way on all issues as another person, you can observe the diversity of opinion among both parties
- Ex. There are Republicans who want gay marriage, while there are Democrats who do not want gay marriage.

  - In eras of strong party loyalty/discipline, our two party system approaches the factions Madison feared

  - People belonging to their specific party typically believed the same on many issues

  - When factions have succeed in our nation

    o The passage of Jim Crow laws
      - A group of people who were adverse to the rights of black citizens were the majority and got the legislation passed
    o Japanese internment
      - Legislation passed by a majority faction which trampled Japanese American rights in order to protect “national security”

  o To stop the cause of factions without harming liberty

    - Passions/interests vs. opinions

      o Madisonian scholars have noted that Madison viewed passions/interests are very different from opinions. Madison viewed opinions as far superior to passions/interests

      o Modify fallible interests and passions, through reason, into opinions

      o Need for a limited role of government to prevent the reign of passions/interests over opinion

        o Ex. Kids in school today are taught to not judge another person based solely on race (limited government interference in order to stop the continuation of racist beliefs)

        o The matters of government are cyclical based on the people

          - Government
            - Elections
            - Laws
            - People

- Reasoned opinion is consistent with the protection of the rights of others

- VITAL: The law is a teacher

- Interpretation of Fed 10

  o Government mechanisms to prevent factions from becoming too powerful

  o Pitting faction against factions thus encourages more factions (fighting fire with fire to continue the faction/fire metaphor)

- Fed 37 and 39 – Madison distinguishes between two types of opinion: partial and respective opinions

  o Respective opinions are superior to partial opinions (passion/interest)
Respective opinions are opinions formed from a passion/interest after further research and refinement from reason/logic.