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As in the case of monsters, the changing face of representation in America

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ABSTRACT

AS IN THE CASE OF MONSTERS, THE CHANGING FACE OF REPRESENTATION IN AMERICA

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This thesis outlines the evolution of representation in America, arguing that representation has over time been warped by the encouraged factionalism of political parties. Political parties create partisan forms of the classic delegate and trustee models which do not allow legislators the ability to perform either function simply or completely. Partisan forms of representation have a direct effect on the American *telos* in that, by allowing and encouraging large party organizations to influence and complicate legislative (and constituent) decision making, those involved may be prevented from acting in pursuit of the well-being of the nation, the protection of natural rights.

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AS IN THE CASE OF MONSTERS, THE CHANGING FACE OF
REPRESENTATION IN AMERICA

BY

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CHAPTER 1

INTRODUCTION

The American regime, as it existed at the founding, has fallen victim to revolution. Over time, there have been observable alterations in the application of the principles that Americans once held dear. Specifically, where once the American Founders eschewed factionalism and sought to avoid the negative costs of partisan government (Aldrich 2011), subsequent inheritors of the Constitution have embraced party politics and the distinct brand of representation that accompanies it. How can this revolution have occurred in American politics? It is the intention of this thesis to examine the nature of representation in the United States over time with an eye towards the *telos* of the American regime, considering which form of representation might best attain that end.

This thesis proposes that a shift in the nature of representation has occurred in the United States due in part to the rise of political partisanship. The first section will briefly discuss a history of regimes, decay, and the tension between delegate and trustee representation. This first section will also deal explicitly with the American case and how the United States government struggled with the concept of representation in the nation's infancy. The second section will evaluate the modern party system, how it has evolved over time, and the claims made against partisan forms of representation in the United States today.

A crux of the American system is the careful balance between representation and citizen participation. Madison writes in *Federalist 37* that, “the genius of republican liberty seems to demand on one side not only that all power should be derived from the people, but that those entrusted with it should be kept in dependence on the people...” (1961, 227). Stability, on the other hand, is better derived from representatives maintaining a degree of independence from the same people (Madison 1961, 227). It is important to remember that, collectively, the Founders had no single answer to this conundrum. But although the Founders disagreed on the exact distance between the people and their representatives, they largely agreed that actively encouraging large scale factionalism would be detrimental to the union.

If indeed the nature of representation in America has changed, it is a valuable study for any citizen to examine, to think about the reasons for the change, and potentially see such factors moving in their own time. The most important thing to take away from such a study is this: the nature of representation in America, if it can be said to have changed, may change again in the future. Knowledge of what may cause such a change is a powerful tool for any citizen to possess for both the health of the state and the well-being of the citizen.

CHAPTER 2

THE AMERICAN REGIME AND REPRESENTATION AT THE FOUNDING

In order to create a stable regime, in Madison's case, one established upon the idea of popular sovereignty, considerations had to be made on the type of representation that would be most appropriate for the given situation. Traditionally, one of the vital debates within a representative government has hinged on the concept of delegate versus trustee representation (Fox and Shotts 2009; McCrone and Kuklinski 1979; Riemer 1967).

A legislator is considered to be a delegate if they dutifully and without reservation vote in the manner dictated by their constituency (Riemer 1967, 1). Such legislators "ought to reflect purposively the preferences" of those whom they have an obligation to represent (McCrone and Kuklinski 1979, 278). Trustee representation, on the other hand, occurs when a legislator, while knowing the various wishes of their constituency, chooses to follow their own individual conscience and judgment of what ought to be done (Riemer 1967, 1). To put it another way, pure delegates sink below all pressures, including their own proclivities, in order to submit to the will of the people. Trustees rise above all external pressures, relying on their own reason and inclination.¹

¹ As many scholars have pointed out, however, representatives do not simply face two competing pressures, one from their own consciences and one from their constituents (Arnold 1990; Fiorina 1989; Kingdon 1989; Riemer 1967). Instead, representatives face a myriad of pressures, from various factions vying for power to even other legislators (Arnold 1990). Additionally, factious political parties can have a great effect on the actions and behaviors of a representative, often to the extent that party politics may trump other pressure, including perhaps the will of individual constituencies (Kingdon 1989; Riemer 1967).

Representation then is a highly complicated affair. Ultimately, that which is considered to be good representation depends largely on the specifics of the regime in question. But how does representation affect the ends of a regime? Speaking in general terms, if the *telos* of a regime is the well-being of the many, the protection of equal and inalienable rights, then representation ought to reflect an appreciation for that goal. Many arguments might be made that both delegate and trustee models of representation could prove equally viable options in such a scenario (Riemer 1967). This thesis does not primarily seek to make the specific case for either delegate or trustee representation, however.

The primary argument here is that the added pressure on representatives, delivered by political parties, creates additional hardship for the maintenance of the American regime. Individuals constrained by a political party are forced to act as partisan delegates or partisan trustees and are not given the opportunity to live out pure forms of delegate or trustee representation. Constraints placed on legislators by party politics strain the *telos* of a regime by not allowing representatives a fuller range of legislative motion. Given that legislators are already pressured by numerous other interests and groups, the added burden of partisanship may hinder more than it helps.

Historically, partisanship did not factor into some of the early Founder's ideals (Rosenblum 2008). The style of representation concocted in the *Federalist Papers* is concerned with properly balancing the pull of the masses with the necessary autonomy of the legislator; that is to say, the desired form of representation for Publius was closer to the traditional trustee model than anything else (Madison 1961, 77-84, 224-231). As a republic, representatives in the United States were initially supposed to "refine and enlarge" the public views so that the general well-being may be provided for (Madison 1961, 82). Tasked with refining and

enlarging public opinion, it seems necessary that legislators ought to keep more their own council than the peoples'.

Tocqueville claimed that this initial fascination with trustee representation was the result of great men wrapping up their world in the great passions of their day (2000, 168-171). Once the Founding generation had died away, Americans settled into their true love: a love of equality and of closer, more delegate representation (Tocqueville 2000, 165-168, 171-172). Tocqueville toured America, writing during the time of the Jacksonian-Democrat Party revolution and saw political parties as a necessary evil (2000, 165-166). But the fact that parties may not be destroyed does not mean that they ought to be allowed to influence legislators unduly. There is a subtle difference between acknowledging the propensity of man to form factious political parties and encouraging them to do so.

The *Telos* of a Regime and Regime Decay

The final cause of a regime, its *telos*, is the defining feature of a regime, that which gives it character. In order to understand the *telos* of any regime, it is essential, therefore, to know the specifics of the regime in question. Regardless of the specifics of governments, however, they all eventually deteriorate by virtue of being human constructions (Aristotle 1984, 1301a 20- 1316b 25; Montesquieu 1989, 8.1-14; Rousseau 2012, 228-231). One of the most important problems faced by theorists and regime builders then is how to construct a government whose specifics are capable of sustaining it for a long period of time. For our purposes, a government's ability to sustain itself shall be defined as its ability to maintain its integrity in pursuit of its *telos*. The means of government may change, but as long as those means do not alter the ends, the regime may be said to be secure. Madison, along with

countless others, attempted to construct a form of government that might best compete in the eternal struggle between man and his nature, leading to a stable regime.

Regimes can be said to decay for a wide variety of reasons, most of which depend upon the type of regime in question (Aristotle 1984, 1301b 10- 1302b 40). Class struggle tends to be the greatest issue facing any regime (Aristotle 1984, 1301b 25-30). Everywhere are seen factions who wish to change the nature of their regime to one which favors their own interests over the interests of others. Sometimes these factions seek the reordering of the regime and sometimes they simply want power within the framework of the existing regime (Aristotle 1984, 1301b- 1302a). Aristotle uses the following metaphor to describe the slow decay of a regime that lets slip minor transgressions against its laws: “The expenditure goes unnoticed because it does not happen all at once: the mind is led to reason fallaciously by this, as in the sophistical argument ‘if each is small, so are all’”(1984, 1307b 35). If each transgression against a regime’s *telos* is small and relatively insignificant, one might be tempted to reason that a large amount of small transgressions will have no ill effect. That can be a serious problem.

The main thrust of Aristotle’s analysis of regimes ultimately focuses on balance and moderation. Regimes tend to decay when they are thrown off balance (Aristotle 1984, 1304b). Subtle changes “in regimes also occur through disproportionate growth of a part. A body is composed of parts which must increase in proportion if balance is to be maintained, and if this does not happen it perishes...” (Aristotle 1984, 1302b 35). Occasionally, some factions within a regime may grow substantially larger than or simply outlive others over time. When this occurs, balance is corrupted, and certain groups may have a distinct advantage over others.

Inequality leads to faction, and factions lead to conflict. It is typically only a matter of time before factional conflict results in some sort of transgression against the regime. Regimes can be said to decay when these revolutions alter the ends of a government, its *telos*. What remains for political theorists and regime builders then is to construct a regime that prevents factions from gaining the traction needed to dissolve the regime. This was the particular struggle faced by Madison and the American founders after the Revolutionary War against the Crown had been won.

Theories of Regime Decay Applied to the American Case

If the classical philosophers, such as Aristotle and others, were correct and truly did have a grasp of the human condition, then we must study the behaviors of human beings “in poleis in order to see clearly the full manifestations of the political nature of humans...” (1999, 4).² The Greek philosophers were deeply concerned with the city, the “small-scale polis” as the basis of human political furtherance³ (Pangle and Ahrens Dorf 1999, 4). As a result, they are sometimes left out of major discussions of the modern state of political affairs. Many would argue, in fact, that America is not a small-scale polis and that the United States it is decidedly unlike a regime in the Greek sense. In fact, many scholars and philosophers have pointed out

² Pangle and Ahrens Dorf argue that, while the ancients surely do not have explicit solutions to the problems faced by nation states in modernity, we may do well to “plumb the depths of [our] crisis [and the crisis faced by the ancients] and thus...recognize otherwise unappreciated moral and spiritual limitations within which we are condemned by modern history to dwell” (Pangle and Ahrens Dorf 1999, 4).

³ Pangle raises the intriguing argument that the modern state is in decline. To further this point, he goes on to suggest that perhaps the ancient Greeks did not pay serious attention to larger political organizations, like states, because they had observed the small scale polis to be superior for cultivating human beings and reaching excellence of character. It was certainly not for lack of imagination that they did not examine much larger states, any of Plato’s writings can attest to that. Pangle’s point is left unanswered, but his argument is worth mentioning.

that the size of a nation may drastically alter its ability to sustain itself and resist decay (Montesquieu 1989, 8.1-14; Tocqueville 2000, 264-269). Why then study the ancient Greeks to learn about America?

If humans remain political animals, then their observance is useful in every age. To study human beings in a nation state, while potentially more difficult than observing them in a small-scale city, can still be accomplished by broadening the scope of the regime and therefore of its *telos*. Pangle and Ahrens Dorf have attempted to bring to light philosophies worthy of examination in their own right so that they can be built upon and applied to new situations. The authors argue that the Aristotelian city, small though it was, is no less relevant to the study of a nation state the size of America in terms of the political nature of human beings (Pangle and Ahrens Dorf 1999, 9). It is increasingly difficult, however, as communities grow larger, to observe justice and the true nature of a regime. There are innumerable factors at play.

Furthermore, the ancient Greeks were not the only political philosophers to examine and parse through the concept of regime decay. A number of more modern philosophers have also tackled the subject in ways that, while different from Aristotle's method, have nonetheless proven useful to the ongoing conversation. French scholars, for example, such as Rousseau and Montesquieu, have explored how governments are formed and then subsequently deteriorate (Montesquieu 1989, 8.1-14; Rousseau 2012, 228-231).⁴ Particularly important to the present

⁴ Montesquieu, for his part, suggests that "republics" which base their identities off of popular sovereignty may become obsessed with equality, leading to too much or too little equality among the people (1989, 8.1-5). Conversely, republics which tend towards aristocracy run into difficulties when the "elites" become hereditary and too far distanced from the people (Montesquieu 1989, 8.5-6). America, of course, is an amalgamation of the two. The United States retains elements of both aristocracy and democracy (Tocqueville 2000, 166-168). And while philosophers have suggested that some mixture of the two might serve to prolong the life of a regime (Aristotle 1984, 1304b 1-15; Montesquieu 1989, 3.3-4, 5.1-9), republics with both elements are not necessarily immune to the dangers of faction.

study is Rousseau's observation in the *Social Contract* that power within a government always wants to centralize; in fact, he claims that the process is inevitable (2012, 228).

How then does this discussion of regime decay apply to the American case? American history is littered with examples of power centralization in the government. Elements in past (Tocqueville 2000) and in today's society reflect an obsession with equality which may potentially border on too great coupled with elite political families who have in some respects dominated the political process. While seemingly insignificant, these and other trends may serve to tip the scales of government in favor of immoderation, distorting the precious balance America has striven to maintain between the many and the few. Exacerbating the issue is the presence of political parties, encouraged factionalism abhorred by Madison which spreads division and discord throughout the country.

The Nature and *Telos* of the American Regime

The American Declaration of Independence was based upon certain principles of human nature that were held to be true for all of mankind. Thomas West writes that the *principles of the law of nature* that the Americans held to be true were equality, natural rights, consent, and revolution (West and Jeffrey 2006, 4-12). By stating that all men are equal, the Founders intended to indicate that natural equality of life and liberty that all men are born with. There are many aspects of human life that render men unequal to one another, but by birth, none of those aspects gives any man the right to rule over another. No one is born into kingship, just as no one is born politically inferior to others (West and Jeffrey 2006, 4-12).

Natural rights are given to human beings, by their Creator, and cannot be wrested from them by government without a breach of justice. “A natural right, then, is a claim to what one rightfully owns by birth, or by way of one’s nature as a human being. Natural rights are unalienable because they cannot be alienated or given away to someone else” (West and Jeffrey 2006, 5). West also notes that a right from a particular person’s point of view is a duty from another. We human beings have rights and duties to uphold each other’s rights (2006, 5).

The next *self-evident truth* that was emphasized in the Declaration is “that to secure these rights, Governments are instituted among Men, deriving their just powers from the consent of the governed” (West and Jeffrey 2006, 8). Human beings enter into government, according to the Founders, to preserve their inherent natural rights. It is the job of government to ensure that the Law of Nature is honored and that no one attempts to abuse or deny the natural rights of anyone else. All men are politically equal. All men are born with unalienable rights. Men, however, have many different talents and abilities that are to be encouraged by government, not hindered. This is not to say that government should directly foster talents in men, but rather government should be structured to allow human beings the freedom to achieve their unique potential in society.

The final principle referred to in the Declaration is the right to revolution (West and Jeffrey 2006, 9-10). Whenever a regime fails to protect the rights that men are born with, or if a regime directly attacks those rights, the people have a right to alter or abolish said government and to institute a new one. Madison writes in *Federalist 46* that Americans are better protected from ‘the enterprises of ambition’ than most other nations by virtue of being armed and having several layers of government over them (1961, 294-300). People do not have a right to revolt on a whim or even in the event of a governmental mistake. They must exercise prudence in

determining when a government has gone too far in overstepping its bounds; the people must place a certain amount of faith in their political institutions to safeguard them and their natural rights.

Government is intended to serve the people, not the other way around. At the outset then, it can be said that the *telos* of the American regime created by means of revolution is the good and wellbeing of the many, all of whom are inherently equal in certain fundamental ways. Therefore, after defining their principles and the ends that they believed were proper for government to pursue, the Founders needed to establish a government that did, in fact, have the strength, energy, and authority to protect and preserve human equality as understood by Natural Law (Madison 1961, 78-84). The Articles of Confederation were the first attempt to institute such a government.

The central problem faced by all constitution makers is the balance between government strength and individual liberty and security (Thach 2007, 1). How will government be able to consistently pursue the ends for which it was created without destroying them? It soon became evident after the revolution had ended that The Articles of Confederation were unable to accomplish this task; they had no real substantial powers over the states as a national government. “The situation in America in 1787, under the Articles...was this: every state governed itself through elected representatives...a national Congress was elected by [those] representatives in the state legislatures...the requirement of [consensual] democracy was being met, but government was not protecting equal rights” (West and Jeffrey 2006, 13).

In order for the ends of a regime to be pursued effectively, the government must have sufficient power to do so. West’s first reason, protection against foreign nations, is an essential and inescapable part of a regime. The American regime, whose ends were arrived at via reason

and an examination of the human condition, was constructed to preserve rights for Americans.

While the Natural Law of which they spoke was said to be applied to all men, America itself sought to establish a means of protecting these rights domestically. After much deliberation and debate both public and private, the nation decided to move towards the formation of a more perfect union; they attempted to do so under the Constitution of 1787.

The new Constitution embodied two of the primary themes of the Declaration: “the protection of equal rights and consent of those governed” (West and Jeffrey 2006, 14) This American Constitution would also govern those serving in the government, a huge concern, and would make known to all people the expected behaviors and anticipated results that flow from a life of public service. It was expected that public servants dedicate themselves to the protection of the natural rights that all men are born with, protection both from other people and from government itself. The new Constitution proposed to accomplish all of these tasks.

As the Founders understood it, one critical way to ensure that government by consent truly safeguards the rights of the people is to mandate that government to rule by written law. This law would be protected, alternately, by the three branches and their constituent institutions, which would guard the rights of citizens while checking and balancing each other, all of their powers shared and blended together. In the interest of protecting against factions, these branches would not be hereditary, but would either be directly elected, indirectly elected, or appointed and then approved. The legislative powers, given to a bicameral Congress, controlled the direct making of laws and the collection of taxes. The judicial branch would interpret the laws made and the actions taken by any branch in light of the Constitution, so that the ends of the nation state would remain the priority. Lastly, the executive branch would have control of the sword, the ability to enforce the laws and to act with expediency in the event of

an emergency. The president would also serve as Commander in Chief during wartime, in the interest of conducting the combat efficiently and effectively (Madison 1961, 152-157, 300-308, 325-407).⁵

The Constitution described in the *Federalist Papers* was, of course, ratified, allowing the framework of the new written law to govern consenting citizens in a relatively large union. A large collection of peoples now had a means by which to pursue the *telos* of equal protection of equally inalienable rights through representative government. How that representation should manifest itself, however, was soon to be a subject of intense debate within the newly established popular sovereignty (Aldrich 2011; Tocqueville 2000, 165-168).

The Precarious Position of Representation in America: Delegates and Trustees

Many of the Founding Fathers abhorred political parties, believing them to be divisive in the extreme (Rosenblum 2008, 76-79). Yet the Founders soon found themselves operating within a government pervaded by political partisanship (Aldrich 2011). Divisions arose between the national leaders, between those alternately caught up in the spirit of revolution and the spirit of equality (Tocqueville 2000, 166-169). How can parties have formed in a government whose founders were so worried about the formation of parties? The first political parties among governing elites formed not only with a view towards solving collective action problems, but also to address a fundamental question: how powerful should the United States government actually be (Aldrich 2011)?

⁵ *Federalist 23, 47, and 52-66* offer detailed analyses of the proposed legislative branch and the functions of its members, *Federalist 67-77* detail the nature of the proposed executive branch and the office of the president, *Papers 78-83* contain information on the judicial branch.

This debate over the size and scope of the government, which continues to some extent today, carries with it certain considerations of the American people. Some of the Founders, like Thomas Jefferson, believed that people should be closer to their government, as more of a delegate model would dictate (1975, 444-451, 552-561). Whereas the representation advocated in the *Federalist Papers* would seem to suggest more of a legislative trustee model (Madison 1961, 77-84). The American Constitution was created with an eye towards the stability of government; such stability required that the people be controlled, lest their vicious tendencies rip apart the nation.

Madison wrote that, “The latent causes of faction are...sown in the nature of man...A zeal for different opinions concerning religion [and] government...[has] divided mankind into parties and inflamed them with mutual animosity” (1981, 90). Madison’s observations about the biases of men are not novel. Men are not angelic enough to exist without government (1981, 130). Men are too groupish and immediately self-interested to refrain from sacrificing their fellow human beings should the mood strike (1981, 92).

Given this depiction of human nature, it is understandable that Madison would believe that men continuously tend towards anarchy, even when they are under the protection of a government. “The causes of faction cannot be removed...relief is only to be sought in the means of controlling [their] effects” (Madison 1981, 91). Government compacts do not alter men but rather afford them the opportunity to control the effects of their own selfishness and vengeful attitudes. The size and scope of the government then is necessarily constrained by its people’s behavior.

Are political parties to be seen as simply a way to control the effects of faction? Or does partisanship exacerbate the problem, leading men towards vicious confrontation in the hopes of squelching the rights or freedoms of others? To answer these questions, it is necessary to consider for whose benefit parties were created and instituted. The first political parties in government may have indeed been formed to solve a collective action problem, but those parties tended to take the form of practical short-term coalitions (Aldrich 2011, 70-73).

Aldrich spends a good deal of time attempting to answer the question of whether Madison's system of government failed to properly check factions (2011). It would seem as though, as realistic as Madison was about the factitious nature of mankind, he was not practical enough to foresee the divisions which would form in Congress relatively soon after the adoption of the Constitution. More likely is that Madison believed the ruling elites to be superior to the passionate outbursts of the masses. And to some extent those elites did appear to believe themselves superior to partisanship (Rosenblum 2008, 76-77).

Another possibility is that the personalities of the Founding generation were such that they inspired a sense of political awe when they personally held power. Of course, there was some intense political brutality and incivility among the Founders, particularly in the election of 1800 (Aldrich 2011). But it might be significant that political parties in mass did not appear in America until 1828, after the major players during the Founding had mostly run their political course. We see during the first few years of American history a sort of implicit agreement that *these Founding people should be the ones to rule*, and perhaps not without good reason. Although Aldrich makes special note of the negative aspects of the American government during the early years, the *natural aristocracy* then might not have been such a bad

thing at all (Aldrich 2011, 105-110). The Constitutional system was designed by the Founders and, to some extent, for the Founders to then govern.

On the one hand, a system predicated simultaneously upon the rule of a sort of natural aristocracy and the shunning of titles of nobility would understandably have a difficult time “passing the torch” to a new generation of leaders without the institutionalization of mass parties. On the other hand, the next generation ought to have recognized the good fruit that could be wrought from a nation with such aristocratic stability. Divisive, selfish, political ambition, so it would seem, heavily influenced the main actors in the 1824 and 1828 elections.

In a proper natural aristocracy, merit is observed and understood; the Founders were obviously the most qualified to run the government that they had all had a hand in designing. There are numerous examples of this same sort of principle being applied throughout American history; we can observe this trend taking place in presidential elections during wartime. The problem is, how does a politician establish merit without being a war hero, a Founder, or a civil rights warrior? Political parties can be used to help to solve this issue. The party can take an individual and replace their potentially unknown individuality with a party label, giving the people something to connect with when it comes to choosing the *best* candidate (Rahn 1993). Of course, the American system is mostly centered on the idea that being elected to public office carries with it some degree of merit. Parties can offer some qualifications to individual politicians before Election Day. Is that not a *good* thing?

CHAPTER 3

THE POLITICAL PARTY SYSTEM AND AMERICAN REPRESENTATION

Although the Founders had disagreements over whether delegate or trustee representation would be better for the nation, the greater number of them simply wanted the people, or their representatives, to be free to pursue the ends of the regime without undue factious influence over them. Perhaps, as Tocqueville indicates, the causes of parties could not be eliminated (2000, 166). Controlling the effects of faction may require more than cleverly designed institutions; a certain spirit within the people of a regime might be necessary in order to resist the urge to factionalize and oppress representatives (Tocqueville 2000, 6-10, 57-58).

Of course, the creation of *proper mores* has been the topic of countless scholars, from Madison (1981) and Jefferson (1975) to Tocqueville (2000) and Robert Dahl (1956). Political parties in America may potentially be seen as yet another attempt to foster within a people a certain set of political values, a way to encourage citizenship and participation. This thesis does not attempt to conjecture on the best way to establish mores within a regime. Rather, the intent in the following section is to critique the existing pressures on representatives and observe how partisan representation does not always allow legislators the option to enact laws which propel the United States further in the pursuit of its *telos*.

The Jacksonian-Democrat and Progressive Party Revolutions

Is American Democracy truly “unthinkable save in terms of parties” (Schattschneider 1942, 1)? John Aldrich, in his widely influential work *Why Parties?*, makes the similar, slightly adjusted claim that “democracy is unworkable save in terms of parties” (2011). Aldrich writes that political parties are invaluable to Americans as they allow the citizenry to hold numerous politicians accountable at the same time (2011, 3-4). While this statement may be factually correct in some sense, it does not serve to define what a political party actually is. Attempting to define what exactly a political party is has long been a struggle for the political science community.

The study of political parties is a messy affair. As Dahl pointed out, there are numerous approaches to any social theory, and a good case can be made for any of them (1956, 1). As a result, parties have been and continue to be defined in numerous ways (Aldrich 2011; Herrnson 1992; 2009; Langston 1993; Masket 2009; Schattschneider 1942). While reviewing how parties have been defined over time, it is important to recognize how scholars have traditionally distinguished between the party in government, the party organization, and the party in the electorate (Key 1964).

The party in government essentially exists so that politicians can better organize themselves and plan their voting strategies accordingly (Aldrich 2011; Cox and McCubbins 2005; Krehbiel 1993; Schraufnagel 2011). According to Aldrich, these parties in government first formed in the United States legislature shortly after the Founding (2011). In order to accomplish their goals, politicians had to “trade votes” in the legislature by forming short term coalitions, created out of necessity; otherwise, as they quickly discovered, it would be difficult

to accomplish anything at all (Aldrich 2011, 70-72). Aldrich therefore views parties as elite driven institutions; politicians created parties for their own organizational purposes (2011). These temporary coalitions were formed out of necessity, largely against the wishes of many Founding Fathers who abhorred the idea of factionalism infiltrating the government (Aldrich 2011; Madison 1981; Rosenblum 2008). Once the practice had been initiated, however, it was not to be easily removed.

The American government existed for a short while in this manner, with political elites grouping together as elected officials around loose interpretations of how powerful the American nation should be (Aldrich 2011; Aldrich and Grant 1993). This particular system “worked” until a single group of people slowly began to dominate all government functions, a group essentially consisting of a number of the nation’s Founders who were opposed to the “Federalist” Party on the divisive issue of war with Britain in 1812 (Aldrich 2011). Those who had aligned themselves with the “Federalist” coalition were eventually forced to disband, as they had opposed the popular war with Britain (Aldrich 2011). The “Era of Good Feeling” which followed was a time of relative non-partisanship, culminating in the nearly unanimous election of James Monroe to the presidency (Aldrich 2011, 104).

This brief era of no-party politics, however, was partially based on the forceful personalities of its leading men; once the “Virginia Dynasty” (Presidents Jefferson, Madison, and Monroe) no longer held political power, this no-party arrangement eventually gave way to the questionable election of 1824, leading to discontent among those who saw the system as corrupt because their voices could not be heard (Aldrich 2011; Langston 1993). This discontent

ultimately devolved into the creation of the mass party movement during the election of 1828, when Andrew Jackson won the presidency (Aldrich 2011; Langston 1993).

The election of 1824 was one of serious controversy. With no clear successor to the “Virginia Dynasty,” members of President Monroe’s cabinet turned against one another in an ambitious competition for the executive office (Eagleton Institute of Politics 2014). No presidential candidate won the requisite number of electoral votes that year, so the decision was made by the House of Representatives. Andrew Jackson, who had won the most electoral votes, lost to John Quincy Adams in 1824 largely because the Speaker of the House, presidential candidate Henry Clay, hated Jackson and persuaded the House to support Adams (Eagleton Institute of Politics 2014). The party in the electorate was subsequently established around 1828 by Jackson and his supporters so that new elites could distance themselves from the “natural aristocracy” which had arisen around the Founding Fathers (Aldrich 2011, 104-105) and allow previously unheard of levels of participation from the public (Schlesinger 1947).

By mobilizing the American masses in a way that had never been done before, the Jacksonian-Democratic party was able to dominate government offices from 1828 up until the time of the Civil War, creating an incentive for other parties to attempt the same mobilization scheme. The formal party organization that was established, therefore, may be seen as an attempt to relate and reconcile the party in the electorate with the party in government, or, as V. O. Key put it, to “facilitate collective activity” (1964, 314). The Democratic Party, later alongside the younger Republican Party, certainly did just that, rapidly establishing themselves as national political machines whose control over elections and virtually all other aspects of political life colored the post-Civil War era and the “Gilded Age” of American politics.

Aldrich's work goes into great detail on the transition from a Jacksonian-Democrat/ Whig political arena to a Democrat/ Republican battleground but then is silent until the 1960's, when Aldrich claims that parties moved into a service role for candidate-centered elections before evolving into being a conflict between intensely polarized partisans (2011, 163-168). In the interim, however, political parties rose to tremendous heights and then underwent massive alterations at the hands of the Progressive movement, alterations that attempted to fundamentally alter the ways in which political parties could affect the lives of average Americans. To forego a study of the Progressive era sacrifices a legitimate means of attempting to understand the nature of the tension between Americans and political parties.

A Progressive critic of parties once wrote that "the party system fails in everything it professes to do: it is a device for the prevention of the expression of the common will" (Rosenblum 2008, 166). The Progressive movement has historically been heralded as being against the corruption of party influence and for the positive reform of the American political system (Rosenblum 2008). By the end of the 19th Century, political parties had come to dominate nearly all levels of political life in America. Machine politics bought and sold votes, taking advantage of the various political climates and individuals looking for work scattered across America. Progressives sought to "elevate the moral and civic character of citizens" by liberating them from the crushing grip of the parties (Rosenblum 2008, 171). Individual citizens, some reasoned, would be better off deciding for themselves where their political allegiances lay instead of having their votes dictated to them from above. In order to give people the opportunity to make their own, hopefully educated, political decisions, the parties would have to be dealt with.

The litany of reforms carried out by the Progressives were aimed at making the American political system *more* democratic in nature (Rosenblum 2008; Schaffner, Streb, and Wright 2001). The primary system, as it had been, was altered to allow the population as a whole to partake in the nomination process, the goal being to remove from the shoulders of candidates the unnecessary yoke of partisan pressure (Masket 2009; Rosenblum 2008, 200). Additionally, the Progressives fought to institute ballot initiatives and referenda that made legislative decisions directly dependent on the will of the people themselves (Rosenblum 2008, 202). By the turn of the century, the Senate, then elected by party machine controlled state legislatures, had become synonymous with corruption (National Archives 2014). The 17th Amendment was passed in order to defend against partisan encroachment in what was supposed to be the more reasoned check on the House of Representatives in Congress (National Archives 2014). And finally, on top of all these and other reforms, the Progressives made an argument for the wide-spread implementation of non-partisan elections (Masket 2009; Rosenblum 2008; Schaffner, Streb, and Wright 2001).

Of course, the Progressive movement did not destroy party politics or partisanship in the American government. What the Progressives did do is highlight several key concerns embedded in the relationship between the people and their American Constitution. Essentially, political parties originally came into being, in the form of loose coalitions, in order to help political elites overcome collective action problems in government (Aldrich 2011). Eventually, after the Founding generation had perished, new elites sought to break into the established clicks within the government (Langston 1993). These new elites, headed by Andrew Jackson and Martin Van Buren, cultivated a party in the electorate through a party organization in order

to mobilize the masses to their cause. The party organization binds the party in the electorate and the party in government together into a national organism.

One of the reasons that the Progressives sought to reform political parties was because of the negative stigma associated with party affiliation (Rosenblum 2008). The party machines made it extremely difficult, if not impossible, to have the public elect the objectively *best qualified* candidate for any given office. Nominations were tightly controlled; in practice, voters had little say in the matter. Party identity had become an overbearing ailment, hindering what some believed to be the potential progress of society. What then have been the results of the Progressive reforms? If anything, partisanship has only increased in America since the 19th and 20th Centuries. While the majority of elections in the United States today are non-partisan (Adrian 1959), politics at the national level is almost exclusively tethered to the constant debate between Democrats and Republicans. The political machines as they existed in the 19th Century are certainly gone, however some have found evidence to suggest that political parties still exert a certain degree of influence over the nomination process in one way or another (Masket 2009; Rosenblum 2008). Ballot initiatives too still exist in many forms across several states, tying the people to legislation (Masket 2009; Rosenblum 2008).

The Progressives, however, in attempting to alleviate the party problem they saw in the American system, were guilty of making an error similar to the one made by the Jacksonian-Democrats. The Jackson Democrats could not put aside their own individual political ambitions for the sake of the nation and instead sought to formally institutionalize party factions. The Progressives, on the other hand, wanted to do away with political parties, but they did not wish to do so merely for the good of the Constitution as written by the Founders; they instead sought

to challenge the Founding and its principles, causing still further stress to the American system (Link 1954).

Echoing Jefferson (1975, 444-451), among the challenges that many Progressives issued towards the documents and ideals of the Founders was the idea that government could be altered as citizens in each successive generation were able to change the means by which they lived and the good which they pursued. Liberal “thought was greatly influenced by the doctrines of relativism and historicism...the denial of objective truth and the doctrine that “values” change over time” (West and Jeffrey 2006, 30). There are no eternally true principles: therefore the principles of the Declaration make little sense when handed down to a much later generation of Americans. The 17th Amendment, while indeed loosening the party machine hold on the Senate, also served as an attempt to streamline the Constitution, making the nation simpler and more democratic.

To state another way, President Woodrow Wilson⁶ saw the American founding as a movement which treated politics mechanically when, in fact, politics should be recognized as an organic, living thing (Tulis 1987, 119-124). Separation of powers kept Congress from deliberating properly and the president from acting with energy; two issues which significantly hindered reform and prevented government from fulfilling its mandate (Tulis 1987, 120). Wilson, in fact, preferred that Congress and the president be more fully integrated into the activities of the other; Congress in Wilson’s day was seen as a failure in deliberation and

⁶ While not embodying the entirety of the Progressive movement, Woodrow Wilson was extremely influential in the formation of the administrative state and promulgation of many other Progressive innovations (Link 1954; Pestritto 2003).

needed to be tamed, in no small part due to the corruption of political parties (Link 1954; Tulis 1987, 122-125).

As history and a few historical figures indicate then, certain aspects of the Progressive movement were far more ambitious than simply wanting to eliminate the corrupt influences of political parties. In a way similar to the Jacksonian-Democrats before them, the Progressives altered the way in which political parties function in America by professing an underlying distrust of the Constitutional structure installed at the Founding. How then did we arrive in the modern era, a period of intense political partisanship? Part of the explanation can be found in an examination of how American political science has developed and come to view political parties and the nature of the American government.

Political Science and the Modern Party Revolution

Robert Dahl, in his famous critique of Madison's Constitutional structure, typified the belief that political science in the modern age ought to be able to create a single theory of democracy, otherwise the study of popular government will remain forever "unsatisfactory" (Dahl 1956, 1). Ultimately, Dahl claimed that the Madisonian theory was flawed because it was not broadly applicable in the sense that it might not work for any other nation (1956, 63-67, 82-89). Dahl instead chose to offer his own attempt at a theory of democracy, dubbed Polyarchal Democracy, which he hoped would "help to order the incredible and baffling array of events" that have prevented scholars from studying democratic theory scientifically (1956, 63, 83-84).

Dahl's *Polyarchy* relied much more heavily on political participation and social training than anything established by Madison. All members of Dahl's organization, for example, "perform acts we assume constitute an expression of preference" in voting (1956, 84). Through prediction of political activity, the regime will gradually increase its stability (Dahl 1956, 96-99). Prediction is the goal Dahl believed that political scientists could achieve incrementally over time. Prediction is stability. In order to predict political activity, it is useful to have more of it to observe. Dahl ends his book with a call for an increase in proper social training meant to foster in the American people a greater sense of the importance of political participation (1956, 74-84).

While Dahl certainly does not represent all political scientists in his views, his example offers valuable insight into part of the discipline's take on Madison's democratic theory and Constitutional system. Many aspects of Dahl's theory do permeate political science literature today as well. If it can be said that political science takes comfort in the acquisition of regularities in order to continually and incrementally advance a certain kind of knowledge (Grant 2002), then it makes sense that many political scientists would be in favor of political party governance. As it stands, there is no shortage of literature revealing political science's explicit attachment to political parties in American politics (Aldrich 2011; Campbell et al. 1960; Levendusky 2009; Theriault 2008).

As previously mentioned, within the modern political science discipline there exists fundamental disagreement on how to consider political parties (Herrnson 1992; Rae 2007). Are political parties supposed to emulate the organizational strength of the party machines of the late 1800's (Herrnson 1992)? Should parties take a minimalist approach and simply serve

candidates as they seek public office (Frendries, Gibson, and Vertz 1990)? The 1950 APSA Report suggested a “Responsible Party Model” that would have all political parties take strong ideological positions so that they might be held accountable by the public on Election Day (Herrnson 1992). But that model, precisely for its specificity, incurred a large amount of criticism (Rae 2007). In the absence of a specific universal definition, some have adopted a very general definition of political parties (Gibson et al. 1985). These scholars identify parties simply as organizations “that pursue a goal of placing [their] avowed representatives in government positions” (Gibson et al. 1985, 148).

Echoing Dahl, the discipline as a whole has tended to view predictive power as something to be sought after (Campbell et al. 1960). The implications of such a foundation are endlessly important to the students of the American government. There is doubtlessly some benefit to understanding how organizations in American politics move and operate, but to what extent is predictive power desirable? One of the problems with empirical political science is that it does not even begin to address such *normative* questions (Flyvbjerg 2001). It is not a question of “are political parties good for the American people and the American government,” but rather, “how can political parties function optimally so that the most people can act in a rational way which can then be either quantified or qualified.” This statement should not be misconstrued as a devaluing of political science research; the work of modern political scholars has greatly advanced our knowledge of how individuals think, act, and make decisions, among many other things (Bartels 2000; Lau and Redlawsk 2001; Rahn 1993; Keith et al. 1992). Instead, we should be open to the possibility that political scientists have tended to focus too

much attention on gathering evidence in order to predict and improve what *is* and too little attention on exploring *what might be better*.

Political science has fallen down the same path beaten by the Jacksonian elites in the 1820's and the Progressives. Much of the modern American culture seems to live under the assumption that party politics is unavoidable simply because in America we have lived under a party system for a fairly long time. It would be one thing if the American party system was stable, enduring in reliably the same form over time. But this has not been the case. Political parties have consistently struggled against an American Constitutional structure designed specifically to prevent such factions from easily controlling the government (J. J. Coleman 1999; Jones and McDermott 2004).

Partisan Representation

Political parties are factions, established by elites, initially in order to motivate the electorate to support elite interests (Aldrich 2011). The Founding Fathers ostensibly did not concern themselves with the mobilization of the electorate through parties due to parties' divisive nature (Aldrich 2011; Rosenblum 2008). The Jacksonian-Democrats, the Progressives, and modern political scientists were all seemingly much more concerned with the mobilization of the electorate than were the Founders, albeit in different ways. Jackson and his supporters wanted to use the electorate to overwhelm the natural aristocracy that had risen and decayed after the Founding generation had disappeared (Langston 1993). The Progressives believed in part that removing partisan influence might encourage more citizens to participate in politics, although if only a few, well-informed people participated that would be perfectly acceptable as

well (Link 1954; Schaffner, Streb, and Wright 2001). Political scientists, like Dahl and others, including Tocqueville (2000), would tend to prefer that a greater number of citizens participate in politics (Campbell et al. 1960; Dahl 1956).

Which view is correct? That question may be impossible to answer. However the question: “which is the most suitable for America’s unique Constitutional system” may be a bit more accessible. The Founders were not strangers to human nature and the potential dangers of allowing political factions to take hold in the United States. Perhaps they thought that it would be better to leave the electorate be than to encourage the people to divide over distinct ideologies and devolve into partisan fighting. Whatever their reasoning, we do have some means of comparison in America between partisan and nonpartisan politics. Generally speaking, the Progressive (and probably to some extent the Founders’) argument for non-partisan elections seems to be a compelling one.

Non-partisan elections do appear to remove some of the traditional reliance on party cues (Schaffner, Streb, and Wright 2001). A few of the documented issues that some have with non-partisan elections is their tendency to depress voter turnout and increase the number of roll-off ballots (Schaffner and Streb 2002; Schaffner, Streb, and Wright 2001). But why must depressed voter turnout be seen as a negative thing? True, more people may vote and vote *correctly* when given partisan shortcuts (Schaffner, Streb, and Wright 2001), but more people may also select candidates incorrectly, or at least differently than they potentially would have if they had accurate and full knowledge of the candidate, their ideology, and their issue positions (Lau and Redlawsk 2001; Rahn 1993). Of course, this debate is by no means simple. Heuristics may be a crutch, but the tendency to utilize them appears to be one of man’s natural proclivities

(Rahn 1993). Besides, non-partisan elections do not necessarily mean that those who do vote will do so intelligently, without relying on some shortcut or another (Schaffner, Streb, and Wright 2001). The Progressive stance here is ultimately more appealing because it allows the people the opportunity to better themselves, to become more well-informed citizens.

The obvious counter-argument to this statement would be: but why can voters not *seek to better themselves* while being aided by convenient party cues? Research has indicated that individuals, when given the option, will default to using information shortcuts (Lau and Redlawsk 2001; Rahn 1993). Better that citizens not be offered a crutch so that they are not potentially swayed by laziness in the voting booth. A Progressive might argue that ideally a citizen would come vote, informed and eager. And that if they did not vote because they were unsure who to vote for, their inaction simply serves to make way for someone else who bothered to take a strong position on the candidates. There is surely a good deal of validity in both opposing theories. Otherwise, why would the nation currently have so many different partisan and non-partisan elections? As mentioned previously, a large part of the problem may very well stem from the sheer size of the nation. Different regions of America house distinct communities holding various beliefs (Key 1955; Masket 2009).

To put it another way, a Democrat in Texas will not necessarily look the same as a Democrat in New Hampshire. This problem is compounded when local, state, and national parties are all considered in tandem (Abramowitz and Saunders 1998). Indeed, part of the reason that the 1950 APSA Report suggested the need for the “Responsible Party Model” was to ameliorate the tension between parties and individuals who did not know how to best hold those party members accountable for their actions. While the parties have certainly become

more coherent since the APSA Report (Rae 2007), the situation is not perfect, nor is it expected to be.

Another counter-argument to the institution of non-partisan elections would be: “how can citizens properly hold elected officials accountable if they do not possess partisan cues” (Wright and Schaffner 2002). Nebraska is the only state in the US that sports a non-partisan legislature, free from the “bundled” packages that parties use to create brand names (Wright and Schaffner 2002). In Nebraska, politicians run as partisans and then, once in office, act in a wide variety of ways that may be completely contrary to the partisan platform on which they ran (Wright and Schaffner 2002). How can the people hold politicians accountable in office without party labels? Such a legislature might serve to force people to be more attentive to the actions of their representatives than they normally would be, cultivating a habit of paying close attention to politics. If an individual believes that the government is not being run correctly, then they should seek out the guilty party by gaining an understanding of government functionality and assigning blame by politician and by office, not by party. Another feature of non-partisan elections is that they tend to favor the incumbent, because absent party label, incumbency is the next most readily available heuristic (Schaffner and Streb 2002; Schaffner, Streb, and Wright 2001).

Many have argued that such favoritism is not suitable for good representation (Schaffner and Streb 2002; Schaffner et al. 2001). But why should favoring the incumbent be a bad thing? If anything, the incumbent gains experience in office along with the relative freedom to act in the best interest of the people. Of course citizens still have the final check on a politician’s performance in office, but if a specific candidate has done nothing *wrong*

personally, why throw them out of office simply because they belong to one party or another?

The Nebraska example again brings up the question: do we Americans want our representatives to be free to act as delegates or trustees, or do we want them to become partisan delegates or trustees?

Representatives receive simultaneous pressure from party elites as well as from those whom they represent (Carson et al. 2010). On the one hand, if incumbents ignore or disregard the needs and wants of their constituents, they will most likely lose re-election (Cox and McCubbins 2005). On the other hand, representatives cannot fail to answer the call of the party completely or they will have a difficult time advancing in status within the legislature (Carson et al. 2010; Cox and McCubbins 2005). Legislators are cornered within a party based system, pressured from above, from below, and from within (Arnold 1990; Kingdon 1989).

Minozzi and Volden write that party influence keeps members of the House from focusing on a wide variety of different considerations when making their vote choices (2013, 799). The call of the party, if heeded, encourages representatives to avoid making fully deliberative decisions in the interest of pleasing party elites, who may then offer them committee seats or other positions of power (Minozzi and Volden 2013). Of course, simply saying that removing parties from the government would free representatives from outside pressures is not necessarily true by any means. Parties offer politicians a way to pass legislation that would be impossible had they not colluded (Carson et al. 2010). All resulting legislation, however, may be at the expense of some constituencies, whose needs were disregarded in the interest of servicing a larger goal. To what extent should representatives be delegates then? Perhaps ideally, legislators would, serving in a nonpartisan legislature, vote as their conscience

dictated in each case, even if those votes did not form a coherent pattern (Wright and Schaffner 2002).

Even though answering the party call may serve to accomplish more, the electorate is still able to detect when their representatives are not aligning themselves with the desires of their constituents (Carson et al. 2010). Nebraska's nonpartisan legislature is frowned upon because of its ideological voting inconsistency and the fact that it places the intellectual burden on the people, gifting them with the opportunity to become engaged citizens, freed from the confines of party heuristics. In this structure, legislators are free as well from the pressure to conform to party norms, potentially at the risk of their office and their conscience.

Political parties promote a kind of representative who sometimes acts for the good of the nation based on what the party believes is best. These partisan representatives are pressured to adhere to their parties as well as to their constituencies. In a non-partisan atmosphere, politicians are in a better position to act alternately as delegate and trustee depending on the situation and the dictates of prudence. Again, accountability is left to the institutions established by the Constitution or the various state constitutions and by the people, who are forced to pay greater attention to politics in order to properly assign praise and blame to politicians.

At the end of the day, the American people, and many political scientists, harbor an intense dislike of extreme polarization and legislative gridlock (Theriault 2008; Mayhew 2005; J. J. Coleman 1999; J. A. Coleman 1996). Many despise such partisan tension in large part due to the fact that the Constitution frustrates most party activity, making party government difficult to wield (Jones and McDermott 2004). J. J. Coleman writes that political parties join

together what the Constitution separated (1999). The Constitution was intended to divide government so that no single faction could easily take control and place its interests above those of others. The Responsible Party Model, even if it were perfectly humanly possible, cannot possibly work in the United States. American Political Science has a strange obsession with British and European politics which, quite frankly, does not make a lot of sense. Instead of attempting to warp our unique constitutional structure, we should be embracing it. This appreciation starts with gaining a better understanding of political factionalism and how encouraging it to thrive is detrimental to the Constitution.

Party labels are a double-edged sword. On the one hand, labels allow individual voters to alternately bestow praise and blame on politicians based on a cheap cue. On the other hand, party labels can confuse citizens, especially because the American system is divided in such a way as to frustrate political parties (Jones and McDermott 2004). What happens when voters are bombarded by the party in the House, the party in the Senate, and the party of the President? What happens when citizens need to rely on the political parties remaining constant at three different levels of government for party cues to be accurate? We can debate back and forth on just how accurate party cues are at the various levels of government. There is a constant, however, that is: these cues will never be perfect and individuals will never interpret them the same way.

One of the takeaways from this fact has been that the American people can most easily and readily assign blame to the president's party. Of course, there is evidence to suggest that people can and do differentiate between the parties in the respective branches of government (Jones and McDermott 2004). But why are we trying to encourage the people to rely on single

party cues when they arguably should be focusing, as Arnold (1990) said, on the different circumstances in the House, Senate, and the office of the President? Better still, let us allow the people the opportunity, free from outside party influence, to express their opinions on the presidency separate from Congress, as intended by the Founders.

America's separation of powers system is nothing to be ashamed of; it should be lauded. Political science as a discipline ought to spend less time setting up impossible standards for the American people. For example: simultaneously encouraging those who *correctly* identify with a political party, without wavering and those who are *reasonable* and *moderate* enough to selectively use split-ticket voting to influence government (J. A. Coleman 1996; Saunders, Abramowitz, and Williamson 2005;). The desired goal in much of this literature is to increase intelligent political participation to the greatest extent possible. There is nothing objectively wrong with this goal either. The problem arises when we attempt to ignore the specifically American context involved. The American government was not designed with political parties in mind. Finding that parties are frustrated by the Constitution should not come as a surprise to anyone.

Conclusion

Was Madison's system a failure? Given the history of political parties in America, at first blush it does seem as though Madison's Constitution did indeed fail to anticipate the rise of mass political parties. However, the fact that Madison's framework has lasted this long despite the existence of parties is surely a testament to its durability. After all, the United States was created with a reset-button. Amendments to the Constitution do not necessarily indicate

failures; amendments are a sign that the system is precious enough to attempt to improve. In the case of the 17th Amendment, however, this attempt may have been misguided.

The Progressives needed to go farther in altering the Constitution to make it more democratic. The Senate was intended to some degree to be separate from the House in order to preserve the barrier between the people and their trustees, properly understood. The 17th Amendment may have allowed the people to directly elect their senators, but it did not completely remove partisanship from the government (National Archives 2014). Since the Progressives did not completely alter the nature of the Constitution, that venerable document is still able to frustrate factious parties and should be acknowledged for this accomplishment.

One might suppose that the fact that parties have struggled to embody European party models and achieve perfect cohesiveness across America is a sign that Madison's system did not fail as well. Although the Jacksonian-Democrats failed to assume the role of trustee, properly understood and created a national party faction, the American people over time have attempted to correct this error and have been somewhat uneasy about parties ever since (Carson, Abramowitz, and Williamson 2010; Masket 2009). The fact that the Constitution has not been altered more is testament to the veneration that the American people have for their unique system that divides government up in such distinctive ways (Dahl 1956).

Perhaps the biggest failure of the Madisonian system was that it did not explicitly concern itself with making people into better citizens (1981). Madison understood how wickedly divisive people could be and constructed his system accordingly. However well-constructed the government was, the view of representation espoused in the *Federalist* seems to be in the minority. Tocqueville writes that, as the distance from the Revolutionary War and the

Founding increased, people reverted to the trend of increasing equality, favoring more of a delegate representation model (2000, 165-172). Scholars and many Americans since the Founding have been very concerned with citizen participation, perhaps in a way in which members of the original Federalist Party were not (Arnold 1990; Dahl 1956; Tocqueville 2000, 168).

The issue then may very well be that different times call for different sorts of representation. The “Great Party” that existed at the Founding was necessary in order to “overturn society” and bring about meaningful change; those men were “attached more to principles than to their constituencies... to ideas and not to men” (Tocqueville 2000, 167). It makes sense then that the *Federalist Papers* would call for more of a trustee form of representation. However, unless a nation were to be continuously pitted against another regime, as in a state of war, continuous trustee representation does not appear to be sustainable.

The emphasis then, as noted by Tocqueville, to some extent Dahl, and others, becomes one of fostering in the American people the character, the mores necessary to provide for more stable delegate representation. Citizen participation, again, is key here. Instead of finding a way to do this while at the same time tempering political factions, American elites created mass parties as a quicker and easier way of mobilizing the electorate. A balance needed to be struck between the delegate and trustee models, one without the added pressures of partisan politics. In order to pursue its *telos*, the American regime ought to rely upon the people and their elected representatives with fewer distractions than is currently the case.

We Americans need to cultivate a greater appreciation for the system that we have and the ability that our Constitution has to accommodate all of these various changes. We also need

to be aware of the faults in our Founders and in ourselves. In a nation such as America, much is demanded of the people and the legislators. Our elected representatives must in turn do what is best for the nation and listen to their constituents, not necessarily what is best for themselves or for their party. The onus on legislators is to act with prudence in their decision making; the onus on the people is to actively display interest in their government so that their representatives have a reliable frame of reference for their actions. We do not have a political party system because there is no other way; we have political parties because we have had them for a long time.

Perhaps the tide could not be stemmed, and that a thousand tiny dents could not but breach the American hull. History would seem to suggest, however, that no-party government is indeed possible, if only for a brief time. Ultimately, the conflict in any regime becomes a struggle between human nature and the government holding it in check. "This country," wrote Abraham Lincoln, "with its institutions, belongs to the people who inhabit it. Whenever they shall grow weary of the existing government, they can exercise their constitutional right of amending it, or their revolutionary right to dismember, or overthrow it" (1992, 291). As Lincoln points out, much depends upon the character of the people. Whether they will weather the storm or dismantle the ship is their prerogative.

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