



Perspectives from FSF Scholars
April 1, 2024
Vol. 19, No. 10

Restoring America by Recovering Madisonian Virtue

by

Randolph J. May *

[Real Clear Markets](#)

March 30, 2024

We're in an era of growing hyper-polarization among America's citizenry, and in the midst of what's likely to be one of the nastiest political seasons in American history, if not the nastiest.

Invective and insults are hurled back-and-forth at public gatherings, whether in the meeting halls of local school boards in small towns across America or in the halls of Congress. The public's political temperature is rising to a fever pitch faster than Spring flood waters as our political discourse becomes more raucous.

Despite this Hobbesian cast, I have faith in the resilience of the American democratic experiment. I reject the hyperbolic claims that America's democracy is threatened with imminent collapse if Donald Trump wins the presidency – or if Joe Biden does, for that matter. Rome didn't fall in a day, and neither will America. Or next year, or the year thereafter.

The Free State Foundation
P.O. Box 60680, Potomac, MD 20859
info@freestatefoundation.org
www.freestatefoundation.org

Nevertheless, it's foolish to think the current overheated state of our politics – with the enflamed rhetoric now pervading much of our political discourse – won't, over time, loosen the glue that binds our body politic.

What's my basis for confidence that the Republic will survive? That, overall, Americans continue to possess enough of what James Madison, the framer most responsible for drafting our Constitution, called [“sufficient virtue among men for self-government.”](#)

Let me explain.

Our Founders, with Madison as drafter-in-chief, devised a government that, by design, contains structural safeguards to account for the dark side of human nature. Madison famously wrote [Federalist No. 10](#) about the “ambition” of men, their “mutual animosities” and “unfriendly passions,” and their propensity “to vex and oppress each other.” He recognized that both individuals and special interests – or “factions” – would seek to aggrandize their power. And he warned against “unworthy candidates” who practice “the vicious arts by which elections are too often carried.”

To counteract the effects of faction and preserve popular government, he conceived a system of separate and balanced powers, a federalist system in which “ambition” would counteract “ambition.” Or, as he declared in [Federalist No. 51](#), a plan “of supplying by opposite and rival interests, the defect of better motives.”

But Madison understood that even though he and his fellow Constitution-making delegates had framed a government calculated to provide an opportunity for free institutions to survive the machinations of ambitious men, and unworthy candidates, democracy's survival ultimately depends on something more than the Constitution's structural safeguards. Acknowledging what he considered to be a duality in our natures, Madison rested his hopes on the existence of a nobler side – what came to be called “republican virtue.” (Note the lower case “r”).

Thus, in [Federalist No. 55](#), Madison wrote: “So there are other qualities in human nature which justify a certain portion of esteem and confidence. Republican government presupposes the existence of these qualities in a higher degree than any other form.”

Not long thereafter, back home in Virginia, Madison said this on June 20, 1788, in a [speech](#) urging ratification of the proposed Constitution:

“I go on this great republican principle: that the people will have virtue and intelligence to select men of virtue and intelligence. . . . No theoretical checks, no form of government, can render us secure. To suppose that any form of government will secure liberty or happiness without virtue in the people is a chimerical idea.”

Madison's conception of virtue as undergirding republican principle is rooted in the jurisprudential and constitutional notion of the Roman *res publica* or “public concerns” articulated by Cicero, and by subsequent thinkers like Machiavelli, James Harrington, and Algernon Sidney.

What does this mean for American governance today? Legal philosopher Mortimer M. S. Sellers, Regents Professor of the University System of Maryland, [declares](#) that “republican legal theory remains America's central contribution to modern legal discourse, through the United States Constitution's practical demonstration that popular sovereignty may seek liberty and justice in pursuit of the common good, through the rule of law, checks and balances, a deliberative senate, and a stable judiciary, without collapsing into tyranny and civil war.”

This description of republican theory certainly embodies key elements of Madison’s conception of proper governance.

Notably, Professor Sellers adds this: “Almost every generation experiences some return to republican first principles, as well as new attempts to build civic community and a revived legal order from the ruins of the West's oldest and most persistent legal and political philosophy.”

It is on that positive note that my optimism rests. Madison anticipated that, in conjunction with the Constitution’s structural safeguards, there would be *sufficient virtue* among America’s citizens to counteract the dark sides of our natures. In our present time of deep societal divisions and discontent, restoring America for our common good and preserving our deliberative democracy might well depend, as a matter of first principles, upon recovering Madisonian republican virtue.

* Randolph J. May is President of the Free State Foundation, a free market-oriented think tank in Rockville, MD. The views expressed in this *Perspectives* do not necessarily reflect the views of others on the staff of the Free State Foundation or those affiliated with it. *Restoring America by Recovering Madisonian Virtue* was published in the *Real Clear Markets* on March 30, 2024.