Interests and Deliberation In the American Republic, or, Why James Madison Would Never Have Received the James Madison Award

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Editor's Note. The Madison Award, given triennially since 1978, is awarded to a living American political scientist who has made a distinguished scholarly contribution to political science. It is designed to recognize a career of scholarly excellence rather than a particular piece of scholarship. James Q. Wilson, recipient of the 1990 Madison Award, gave the following address at the APSA’s Annual Meeting.

My deep gratitude for the honor you have given me is in no way diminished by the provocative subtitle I have given to this lecture. I intend no disrespect; I intend only to suggest that so important a moment in the life of a political scientist inevitably leads him to reflect, not only on his own inadequacies (a topic on which I trust you have even stronger views than I), but also on what we mean by "political science."

The case against Madison receiving the Madison Award is easily stated and perhaps compelling: He did not have a Ph.D. degree; he published no articles in refereed journals; he wrote no great books. He is best known for a few dozen op-ed pieces written for a New York City newspaper and a long set of notes he took during a summer long conference in Philadelphia, notes that were not published during his lifetime. It would be as if this award were given to some combination of William Safire and a court stenographer. (Some may think that in 1990, it was.)

And yet most of us think of Madison as this nation's first political scientist, and certainly one of its greatest. He importantly shaped the oldest written constitution in the world and, with Alexander Hamilton and John Jay, left behind its most memorable and penetrating explication. The Federalist Papers are today the most frequently read works of 18th or 19th century American political thought. Long studied by Americans, they are now studied as well by newly free Poles, Czechs, and Hungarians.

Madison did not, at least in the Federalist, describe his undertaking as "political science." It was Hamilton who most frequently and enthusiastically referred to his understanding of government as scientific. But it was Madison who gave us, especially in Numbers 10 and 51, the intellectual framework, the ruling paradigm, around which much of contemporary political science is organized.

I should say "frameworks" or "paradigms," for obviously political science today is engaged in a great debate over how best to understand politics. To oversimplify, that debate is between those who take preferences as essentially given and self-serving and those who take them as changeable and to some degree other regarding. To the former, interests count; to the latter, deliberation matters.

Both sides can find support in James Madison. In that sense he is, indeed, a founder and so, to that degree, we are one discipline; however spirited our debates, we have, should
we wish to acknowledge him, a common ancestor.

In Federalist Number 51 we find ample Madisonian support for a rational choice model of politics. The motive of politicians is private interest, in particular, political ambition. Men lack -- they suffer from a "defect of" -- better motives, and this is as true in public as in private matters. Accordingly, they are likely to use their governmental offices to serve the interests of themselves rather than of their constituents.

Number 51 sets forth what some now call the principal-agent problem. The citizen is the principal: He wishes to advance his interests while preventing others from advancing theirs at his expense. The first aspect of this goal Madison called the problem of faction, the second the problem of liberty. The government official is the agent: He is nominally accountable to his principal, the citizen, but sees opportunities for using his privileged access to power and information in ways that serve his own interest at the expense of his principal's. No "parchment barriers" [Number 48] will prevent this; "auxiliary precautions" are necessary [Number 51].

Madison's solution to the principal-agent problem is well known. We must give "to those who administer each department, the necessary constitutional means, and personal motives, to resist encroachments of the others." We want the legislative, executive, and judicial branches to be able and willing to resist the encroachments of others, not because we want any given branch to be free of constraints, but because we want them all more or less equally constrained so as to minimize each citizen's vulnerability to actions taken either to enhance the power and wealth of government officials or to advance the interests of another citizen.

Though Madison did not do so, one can easily extend the analysis of Number 51 to show how the legislative branch will seek to dominate the bureaucracy; how the bureaucracy will respond by serving the reelection needs of valued legislative allies; how one house of Congress will maneuver against the other; and how each house of Congress will create committees and procedures designed to prevent one faction, by its monopoly of information, from manipulating legislative outcomes in ways that enhance its reelection prospects at the expense of the reelection prospects of less informed members. The late Martin Diamond was, I think, among the first to suggest that reading Number 51 lends support to a geometrical view of politics -- governance is a parallelogram of forces in which the following maxim applies: "To the vector belongs the spoils."

Federalist Number 10 strikes a different note. It begins in the same vein as Number 51: citizens are prone to form factions in order to advance their interests and passions. But almost imperceptibly the argument shifts away from the principal-agent problem of Number 51 to a far more difficult problem. That is the specter of a majority faction that always gets its way, whatever justice may require. Madison gives the example of a proposed law governing private debts. Creditors will be on one side, debtors on the other. "Justice ought to hold the balance between them." But instead, "the most numerous party" gets its way. Unlike in Number 51, in Number 10 numerical superiority means political superiority. The government is the supine instrument of the "superior force of an
interested and overbearing majority." No principal-agent problem here. And more: What is this word, "justice," all about? Justice ought to decide? What can that mean? Who is to be the instrument of justice, and how can his interest in justice be reconciled with his interest in his interests?

Moreover, the sources of faction turn out to be more complex than one might have suspected from Number 51. To be sure, "the various and unequal distribution of property" is "the most common and durable source of faction," but factions also arise around "passions," "religion," and "opinions." And these opinions in turn reflect not merely circumstances and well-understood wants, but the "fallible" reason of man. But what is fallible is changeable, and if changeable then no longer the stable lodestar, the unmoved first mover, of political action.

In Number 10, long before he gets to the checks and balances of Number 51, Madison proposed a partial solution to the problem of majority faction. His solution was a system of representation set in place in a large or "extended" republic. The effect of a system of representation is not simply to permit checks and balances to operate, but also "to refine and enlarge the public views, by passing them through the medium of a chosen body of citizens, whose wisdom may best discern the true interest of the country, and whose patriotism and love of justice, will be least likely to sacrifice it to temporary or partial considerations."

Of course factious, partial, or even sinister people might become representatives. (Madison was no Pollyanna.) But in a large republic this was less likely to occur than in a small one. If many citizens must vote for a single representative, then "it will be more difficult for unworthy candidates to practice with success the vicious arts, by which elections are too often carried" and elections will be more likely to attract men with "the most attractive merit, and the most diffusive and established character." Having large districts would, of course, worsen the principal-agent problem from the point of view of the citizen, because each representative would now be the agent of many different and perhaps competing principals. The minimum size of a district -- thirty thousand people -- meant that only two cities, New York and Philadelphia, would have a representative all to themselves. All the other towns and villages, many separated by considerable distances, would share a representative. As a result, most voters would have to rely on reputation as a basis for choosing among candidates, with the effect that the elected representative would have more opportunity to pursue his own interests at the expense of those of his constituents.

The contrast between Number 51 and Number 10 is striking. In the former the goal is to solve the principal-agent problem; in the latter no such problem exists. In the former men rationally pursue their own interests; in the latter they allow their opinions to be refined by the superior judgment of representatives. In the former the separation of powers is proposed as a way of checking the self-serving behavior of representatives; in the latter the prospect of a large republic is embraced as a way of giving effect to the other regarding tendencies of those representatives.
One can only explain the Founders' willingness to worsen the problem that the separation of powers was meant to solve by understanding the importance that they attached to discussion and deliberation. The Federalists, unlike the Antifederalists, believed that representation should alter and not merely reflect popular views.

This belief in deliberation is implied not only by the argument for an extended republic but also by the contrast Madison draws between opinions and passions, since opinion implies a belief amenable to reason whereas passion implies a disposition beyond reason's reach. By the same token, Madison in Numbers 37 and 39 distinguishes between "partial" and "respectable" opinions and between more or less "fallible" ones. These distinctions imply the existence of a standard, discoverable by reason, by which one can tell a partial or fallible opinion from a respectable one.

Though Madison's view of human nature was certainly sober, it was not bleak. In various places (Numbers 40, 55, 57) Madison suggests that interests alone do not drive citizens. "As there is a degree of depravity in mankind which requires a certain circumspection and distrust: So there are other qualities in human nature, which justify a certain portion of esteem and confidence [Number 55]. In particular, there seems to be "sufficient virtue" to make republican government possible.

I have exaggerated the difference in emphasis between Federalist Numbers 10 and 51; even in the latter, Madison writes of justice being the goal of government. But if you pardon the oversimplifications, the two essays can be read as powerful statements of two different -- but in Madison's mind, and in mine -- related ways of explaining politics.

The view expressed in Number 51 finds its modern expression in economic or rational choice models of politics; the view suggested by Number 10 finds its expression among those who are critical of or indifferent to such parsimonious models. That Madison was able to combine both views into a larger synthesis and that we seem unable to do so is one measure of Madison's superior greatness.

Rational choice models have great advantages. The assumptions on which they are based are generally true and thus generally useful: People do in fact seek their own interests, and we should attend more to how they do it than to how they justify it. These theories direct our attention to the importance of incentives in shaping behavior and put on the defensive those who would explain it largely in terms of attitudes. They render problematic what many people take for granted -- that collective action is easily undertaken. They lead us to examine outcomes: What difference does it make if X as opposed to Y constitutes the condition under which people try to increase their utility? They remind us of the links between the polity and the economy.

But a price is paid for adopting that approach. We may fail to ask how people define their self-interest in those circumstances -- and in politics, there are many -- where a person's self-interest is ambiguous or the limitations on information make rational choice difficult. Though rational choice models are in principle as applicable to intangible as to tangible interests, in practice they are more easily applied -- and thus more frequently used -- to
explain behavior on the basis of pecuniary motives. Such theories tend to understate the power of motives, such as duty, or fairness, which seem at odds with any conception of immediate self-interest (though one can make a case that they may serve one's long term self-interest). They rarely give full attention to interdependent utilities, and so cannot provide us with a plausible account of how the well-being of another person (or, conversely, the ill-mannered behavior of another person) limits the extent to which we pursue our own interests (or, conversely, induces us to act even when no interest of ours is at stake).

In short, many contemporary political scientists systematically understate the role of deliberation, the influence of norms, and the power of passion in human affairs, just as many traditional political scientists have overstated the role of deliberation, norms, and attitudes. Let me offer a few well known examples. At one time, political scientists took voting for granted -- it was, it would seem, an act as natural and unremarkable as reading a newspaper. Regrettably not everyone did it, but more could be induced to do it by persuasion. Today, many political scientists cannot explain why anyone votes. It is irrational, in that casting a vote entails costs for which there are no compensating political benefits except in the absurdly rare case in which one vote can make or break a tie. What once seemed natural now appears weirdly unnatural; what once required no explanation now cannot be explained at all.

If people vote, why do they vote for one candidate rather than another? At one time, political scientists denied that this could be explained by any rational considerations -- voters were too poorly informed for that -- and so could only be explained by nonrational ones: Voters support parties or candidates with which they "identify." That argument has about the same explanatory power as saying that people eat ice cream because they like it. Today, many political scientists assume that voters seek to maximize their utility by choosing candidates who offer the largest discounted net benefits. (Of course using this assumption creates a problem: if it could not explain why people voted in the first place, how can it be used to explain whom they voted for? But never mind.) Ignoring the question of how the voting booth manages to transform irrational people into calculating ones, we confront another problem: if politicians are preoccupied with election or reelection and voters with the net benefits of government policy and if we make certain reasonable assumptions (for example, that voters' preferences are clustered at the middle of any array of choices), then rival candidates and parties should be as alike as Advil and Tylenol. They would have moved to the center of every discernible preference distribution. As a consequence, we would no longer have liberal and conservative candidates or parties, only indistinguishable ones. But as the briefest glance at any caucus, convention, or party rally shows, parties -- or at least the most active elements within them -- differ greatly, perhaps fundamentally. Now it is not just the voters who are behaving irrationally, it is the parties as well.

At one time, voters were fools; now they are rational calculators. At one time, people were good enough citizens to vote but not good enough to vote wisely; now citizens are too irrational to realize that voting doesn't pay but rational enough to vote so as to maximize their own interest. At one time the parties were as alike as Tweedledum and
Tweedledum and Tweedledee, even though many political scientists thought they ought to be as opposed as Tories and Socialists; now they are becoming Tories and Socialists just when many political scientists have concluded that they ought to be Tweedledum and Tweedledee.

Once candidates are elected, their behavior in office must be explained. At one time, legislators were thought to vote for their party's position (though not often enough to please those political scientists who wanted stronger party government). Presumably they voted this way (to the extent that they did) either because of their ideology or because they felt obliged to support the party with whom their constituents identified. But if the reason was ideology, few political scientists wondered where it came from; if the reason was party, few asked why party should matter if, as these same political scientists argued, American parties were so weak that they would not easily control outcomes. Today, some political scientists assume that legislators are wholly preoccupied with their individual prospects for reelection. Presumably they vote for bills that increase constituent support for them. But in that case it is not obvious why they would trouble to vote at all on bills to which their constituents were indifferent or even why they would not ignore most legislative work (which at best provides general benefits) in favor of individual casework (which supplies highly particular benefits). Moreover, legislators defend their votes or criticize those of others by making arguments about justice, fairness, and the public good. These arguments may be dismissed as rationalizations, as they often are, but they are not mere rationalizations; the fact that they are employed means that people are affected by them, and if they are affected by them, then their behavior can be altered by them. If none of us took seriously an argument about fairness or the common good, we could ignore -- or laugh at -- all such arguments, and soon they would no longer be employed. But they continue to be employed. In sum: At one time, many political scientists described the actions of legislators without describing the incentives they had to act in that way; today many political scientists analyze the incentives facing legislators without giving an account of behavior that is inconsistent with those incentives.

Some of these legislative outcomes are, of course, influenced by interest groups. On this subject there is more continuity than change. Political scientists throughout this century have been fascinated with interests. But they have had only partial success in accounting for the activities of these interests. At one time, political scientists took for granted that large interest groups would exist (apparently, any "interest" would acquire “group representation”), not pausing to wonder how anyone could persuade large numbers of farmers, workers, blacks, feminists, or conservationists to spend any time, effort, or money on actions which, if they were successful, would benefit the individual whether or not he or she joined in the actions. Today, many political scientists, having discovered the free-rider problem, ask only that question, with the result that they can explain the existence of small interest groups, and interest groups that give material benefits to their members, but they cannot easily explain large, pro bono groups. Political scientists who once never asked why large interest groups exist now ask and cannot answer.

Once a bill becomes law, it must be administered. At one time political scientists asked how public administrators could be freed from those particularistic and partisan influences that prevented them from being the selfless agents of public purposes. (They
rarely asked whether being freed from such influences would place them more under the sway of ideological or organizational influences.) Once set free they could efficiently adapt organizational means to attain organizational ends. Today, many political scientists argue that bureaucrats will always be agents, not of public purposes, but of private interests, in particular their own interest in pay and promotions. Under these circumstances no efficient public management is possible, because privileged access to information and power will inevitably be used to convert organizational resources into personal gain. Once administrators were nearly selfless, today they are wholly selfish.

Having begun this address with a stylized and simplistic account of Madison's thinking, I have pushed forward with an even more simplistic account (in places, a caricatured one) of two approaches to political science -- one that emphasizes norms and deliberation and another that draws attention to interests and calculation. The object has been to discredit neither but to unite both, as they once were united in the writings of the man we truly honor today, James Madison. If I appear to have been more critical of rational choice models, it is only because, among many younger scholars, that is the stronger wind against which one must lean.

And lean we must if we are to persuade people that we are doing serious things. What would the intelligent lay person make of a political science profession that can explain the outcomes of elections but not why people vote; can explain the influence of large associations but not why people join them; can explain the struggle for material advantage but not that for ethnic advancement, religious salvation, or public morality; can explain the distribution of regulatory benefits to powerful clients but not the withdrawal of those benefits by means of deregulation? The world today is convulsed with religious, nationalistic, and ethnic movements; black people in Harlem dance in the streets when a South African man whom they have never met and who can do nothing for them is released from prison; unarmed East Europeans fight the secret police and the armed forces of their puppet governments and we say -- what? That this is to be explained by people calculating the net present discounted value of their future benefits?

Two rejoinders can be made to my argument. One is that you cannot beat something with nothing. Any theory is better than no theory; a theory that explains some things (as rational choice theories clearly do) cannot be meaningfully challenged without offering a better theory in its place. That is a powerful rejoinder, but I am not convinced that it is all-powerful. Politics is not physics. Studying, as we do, people who act under conditions that can rarely be fully specified and who change those conditions (sometimes in response to our having studied them), we can rarely, if ever, pose a theory that can be subject to the critical test. There are no Michelson-Morely experiments in political science, and so the existence of an ether (or here, the power of deliberation and other regarding motives) can never be rejected. All of our theories account for some things, not for all things, and account for them under some conditions but not all conditions. Thus we have theories of congressional behavior that explain why concentrated interests often dominate broader, more diffuse interests, but we must be prepared for the many instances in which diffuse interests dominate concentrated ones. For example, we can explain tax breaks for producer interests, but we cannot by the same logic explain the Tax Reform
Act of 1986; we can explain how civil aviation talked Congress into regulating it but not, in the same way, how others talked Congress out of it; we can explain government subsidizing tobacco farmers but not government withdrawing those subsidies in 1985.

It is common to defend either a rational choice or a deliberative theory of legislation by saying that it explains "more" than its rival. But what does "more" mean? More laws? But no theory has ever been applied to more than a handful of laws, and Congress adopts around six hundred every year. More of the important laws? But what do we mean by "important" -- is regulation more or less important than deregulation? The truth is, we do not have a criterion for accepting or rejecting theories; we only have a criterion for accepting (up to a point) specific and particular hypotheses. That being the case, we are in no position to carry on in general terms a debate about which theory -- or set of assumptions -- is better than another.

The other rejoinder is that there is no reason why the two approaches cannot be united, drawing as appropriate from the insights of each. Perhaps these approaches cannot be synthesized into a single theory, but surely good political scientists will draw on each as they go about their work. Like the idea of making peace in the Middle East, this rejoinder has everything to be said for it save feasibility. Our disciplinary training has made it increasingly difficult to achieve a synthesis in the work of a single scholar. We each learn how to do political science from particular mentors, in particular historical periods, and with an eye to success in the eyes of particular audiences.

The result, probably unintended, is that normative and rationalistic approaches to political science are often warring camps, with the proponents of each relying exclusively on their favored methods and deriding the methods of their rivals. Rationalists charge normativists with being atheoretical and naive; normativists reply that rationalists are bean-counting cynics.

This would have puzzled James Madison, but then he lacked the advantages of highly specialized training and access to refereed journals. The synthesis he achieved in the Federalist papers was based on an approach to political science quite different from what some scholars today would deem acceptable. He did not ask, "What theory do I have and how can it be applied here?" He knew, long before the phrase was invented, that to a person holding a hammer the whole world looks like a nail. He asked instead: "What intellectually interesting question do I want to answer, and what are the best ways -- not way, ways -- in which to answer it?"

The question he tried to answer was this: Can a popular government be designed that will control the mischiefs of faction without Endangering essential liberties? To find the answer, his method was to study the history of other attempts at popular rule, to review the theoretical arguments about the meaning of consent and of separated powers, and, most importantly, to reflect deeply on human nature. His conclusion was that man is sufficiently self-interested and calculating as to make checks and balances necessary but sufficiently virtuous and deliberative as to make it possible to design and operate a constitution that supplies and maintains that system of restraints. As he put it in Number
57, "The aim of every political Constitution is or ought to be first to obtain for rulers, men who possess most wisdom to discern, and most virtue to pursue the common good of the society; and in the next place, to take the most effectual precautions for keeping them virtuous, whilst they continue to hold their public trust." Or to paraphrase a twentieth century commentator, man is good enough to make republican government possible and bad enough to make it necessary.

1. Authorship of Number 57 is disputed, but most scholars assign it to Madison.

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