America's Better Self: Diamond, Madison, and the Foundations of ***the*** *American Regime*

> *Those who wish to improve American life specifically, those who would improve the relationship between ethics and politics in America-must base such improvement upon the American foundation; ...Revolution or transformation, that is something else. But if the aim is improvement, it must be improvement that accepts the limits imposed by the "genius" of the particular political order; it must be improvement that makes America her better self, but still her own self.*
>
> Martin Diamond'

Martin Diamond made inestimable contributions to the study of the American Founding. During the 1960s and 1970s, he set forth a series of subtle interpretations that either remain in place today or have set the terms upon which much recent scholarship has been based. In particular, Diamond established the novelty and hybrid character of the Founders' conception of federalism, argued that the Founders' formed a thoroughly democratic political system, corrected those who erroneously sought to understand the original design of the American political system in terms of mixed government, and defended the American political system from critics (both left and right) who argued that it was designed to "deadlock democracy."

But in addition to his substantive interpretations, Diamond also did more than perhaps any other scholar to enhance serious reflection about the foundations of the American political system and the content and viability of the Founders' legacy. Diamond achieved this, in part, by ably defending the study of the ideas and principles

of the American Founding at a time when an array of critics including New Left, Marxist, and Progressive scholars charged that the Founders' ideas were nothing more than reflections of their underlying interests. He also refocused attention upon the Founding with his bedrock contention that an understanding of the original principles of the American constitutional order was necessary for addressing contemporary political problems. For these and other reasons, the renewned attention that Diamond's scholarship is currently receiving and the concomitant growth of his already considerable reputation should be welcomed by scholars of the American Founding.

Still, we do Diamond's legacy only faint honor by obsequiously reciting his interpretations or by equating prudence with an adherence to them. What we need at this point in the evolution of scholarship on the American Founding is an evaluation of Diamond's numerous interpretations with an eye toward ascertaining which mark permanent contributions and which have been the source of misunderstandings about the character of the American Founding. The essays in this symposium highlight many of these contributions. Unlike them, I want to focus on several misconceptions fostered by Diamond's scholarship. These misconceptions concern centrally Diamond's interpretations of the political thought of James Madison-the man Diamond placed at the center of the Founding.' But more broadly, they also challenge Diamond's understanding of the foundations of the American political system and redirect our attention to how it might be reformed in a Madisonian spirit.

I am aware, of course, that these brief remarks must necessarily be suggestive rather than dispositive. Conclusively challenging some of Diamond's central interpretations cannot be done in this limited space. This critique therefore either builds upon points that I have sought to establish elsewhere or points toward arguments that I will unfold in full in the future.'

"The Extended Commercial Republic": Madison and Madison Avenue

Perhaps the most pervasive misconception spread by Diamond's

scholarship on the American Founding is the belief that James Madison defended an "extended commercial republic" in *The Federalist* No. 10 or, as Diamond sometimes quipped, that Mr. Madison's republic required Mr. Madison's Avenue. In particular, Diamond argued that Madison's extended republic had also to be a commercial republic because "tremendous area does not of itself produce the divergence of interests upon which...the constitutional system depends."[4] A Saharan republic, Diamond apparently used to assert, would still be divided between Oasis land-holders and date pickers.' According to Diamond, "only the modern commercial spirit flourishing in a large, complex, modern economy can supply the faction-differentiating division of labor and the great economic diversity" that the political system required. Commercialization, Diamond also argued, was necessary to achieve the Madisonian goal (identified in *Federalist* No. 10) of preventing the same passion or interest from existing in a majority faction at the same time. It is better, Diamond contended, to prevent a majority faction from ever coalescing than to rely on institutional mechanisms to prevent it from executing its designs after it had formed.'

In addition to these observations, Diamond supported this interpretation with selected references to the text of *Federalist* No. 10 in which Madison spoke of the diversity of interests that would arise in "civilized societies." Civilized societies, Diamond contended, referred here to commercial nations ("Democracy," p.33). Finally, Diamond integrated this interpretation into a broader historical interpretation of the growing legitimacy of commerce in the eighteenth century. In general, throughout his writings, Diamond argued that commercialization was necessary to produce a diversity of interests and a broad division of labor, to get Americans to seek small incremental gains as members of interest groups rather than being influenced by class ideology and thereby to prevent American society from polarizing into classes. A clash over "kinds of wealth," Diamond contended, had to replace the heretofore fatal struggle over "amounts of wealth."'

As I have argued in detail elsewhere, this interpretation is not drawn from a close or comprehensive reading of Madison's writings.

Diamond's claim instead seems to be that commercialization was either *logically* or *practically* necessary to make the Madisonian system work. The first of these claims is simply false; the later is not a claim about *Madison's* theory at all, but rather is a broader claim about the conditions that are necessary if class struggle is to be averted in America.

First, commercialism is not *logically* necessary to produce diversity in the extended republic because that diversity already existed when Madison proposed the theory. If it had not, Madison would hardly have proposed the extended republic as a protection for individual rights and a remedy for class polarization in the first place. Madison was not creating a republic in the Sahara. He was creating a republic in a society which already had extensive economic diversity (much of that diversity incidentally was a diversity of agricultural interests.) He also believed that the propensity for faction-for division or diversity-was "sown in the nature of man."' For these reasons, he did not believe that the extended republic needed an engine to magnify diversity.

The claim that commercialization-along with a growing economy, a broad middle class, and the proliferation of economic interests based upon differences in kinds of wealth rather than amounts of wealth-is *practically* necessary (or, as Diamond put it, is "implied or required") ("Democracy,"p.33) to make the Madisonian system work is actually a much broader claim about the conditions that are necessary to prevent the formation of a class struggle in the United States. The claim here is certainly not that *Madison* explicitly made these points. Madison's writings lend no support even to the proposition that he hoped to engineer the proliferation of interests based upon "kinds of wealth" in order to mute conflict over "amounts of wealth." Instead, Diamond's point here-although he carefully avoided posing it in this way-was that Madison incompletely understood the conditions that would make his republic work. Diamond, then, sought to remedy the defects in Madison's understanding by supplying conditions Madison had never considered. Once he had supplied the defects in Madison's theory, Diamond then used this interpretation to teach his sober conclusions about

how the United States had been able to avert the class struggle. The strength of Diamond's conclusions is doubtlessly a central reason for the continued popularity of this interpretation.'

But however strong it is, Diamond's analysis of the conditions that have been necessary to avert a class struggle in America was not the same as Madison's and it is baldly circular and intellectually illegitimate to cite Madison in favor of this analysis. The circularity of arguing that Madison's extended republic was necessarily a commercial republic and then citing Madison in defense of a commercial republic should be obvious. Moreover, in his broader analysis, Diamond, in effect, seized upon the fact that Madison's *Federalist* No. 10 raises the perennial problem of the class struggle in order to supply his, not Madison's, answer to this problem.

Indeed, I am at a loss to understand how it is any more legitimate for Diamond to twist Madison's theory of an extended republic in order to put it in the service of his arguments against Marxism than it was for Charles Beard to label Madison an economic determinist in the service of Beard's quasi-Marxist interpretation. In both cases, Madison's political thought was misappropriated for political purposes. Many students of Diamond seem to believe that such misappropriation is acceptable if it serves the beliefs of the American Enterprise Institute rather than the Progressive movement. I do not.

Most important, this interpretation misrepresents Madison's conception of political economy-a dimension of Madison's political thought that, as far as I can tell, Diamond and most his students have never sought to investigate. As Drew McCoy has firmly established,[10] Madison's conception of political economy places him among eighteenth century "land expansion agrarians." Madison, McCoy notes, believed that it was necessary to diffuse growing population across western lands and to make America's surplus crops available in European markets in order to delay the onset of urbanization and large scale public manufacturing in the American society. All of this was integrally linked to the notion-more commonly associated with Jefferson-that the farmer was the best republican citizen.

In some ways, this conception of political economy was pessi-

mistic. Madison bemoaned the inevitable misery that he believed would necessarily accompany growing population and economic advancement. Still, Madison's pessimism about the possibilities of forever delaying the most advanced stages of economic development cannot be twisted into an advocacy of that development any more than someone who reports an approaching storm can be deemed a proponent of bad weather. It is also true that Madison's understanding of political economy was rooted in "commerce." Still, when Madison advocated commercial expansion in the 1780s and 1790s, he was advancing his belief that Americans should trade agricultural surpluses for European manufacturing articles. He favored this type of commercial expansion not because he sought to establish a *"modern* commercial republic," but because it allowed the United States to use its natural advantage in agricultural production to forestall the advent of large scale public manufacturing and the problems that he believed accompanied the most advanced stages of economic development. In general, then, Madison sought to promote one type of commercial expansion (commercial agrarianism) in order to prevent the onset of another type (large scale public manufacturing).

When all of this is understood, it becomes clear that to label Madison a "commercial republican" even in the historically accurate sense in which this concept is sometimes used is at best misleading. As the discussion above should make clear, Madison was not, like Hamilton, a proponent of large scale public manufacturing and uncontrolled economic growth. His conception of political economy was distinctly Jeffersonian. Furthermore, to suggest that Hamiltonian and Jeffersonian conceptions of political economy can both be thought of as species of "commercial republicanism" is to broaden this concept so wide as to empty it of all content and to grossly diminish the importance of one of the central disputes over which the first political parties were formed.

Private Power and American Democracy: Diamond versus Madison on Representation, Interest, and Institutional Design

In addition to presenting an erroneous interpretation of Madison's

conception of political economy, Diamond also ultimately misinterpreted Madison's understanding of representation and the goals of the original design of the American political system. Specifically, Diamond believed that the Madisonian system was designed so that, at first at least, representatives would be "loyally prepared to sacrifice the national interest to local concerns." Once in Congress, however, representatives would realize that they did not have the political support to secure the passage of legislation directly benefitting their constituents. At this point, according to Diamond, they would have to lessen their demands in support of their constituents interests in order to gain support from other representatives who were also pursuing the interests of their constituents. Coalitions would form around such compromises ("Founding," pp. 77-78).

In presenting his general interpretation of the extended republic and the original design of the American political system, Diamond fastened onto Madison's famous statement in *Federalist* No. 51 that this "policy of supplying by opposite and rival interests" provided a corrective to "the defect of better motives" and saw this as the animating principle of the economic and political system *(Federalist* No. 51, p. 349). [11] This system of "heterogeneous and fluctuating majorities" and of separation of powers, according to Diamond, was rooted in Madison's belief that institutional design could help ensure that private vices could beget the public good ("Ethics," pp. 363, 353-57). Madison, Diamond's interpretations suggest, displayed a profound respect for institutional architecture and conversely sought to diminish the importance of vigilance in the citizenry and virtue and statesmanship in public officials.

Diamond was hardly alone in holding this interpretation of the original design of the American political system and, if anything, it has become even more popular since he wrote. [12] He differed from other proponents of what I would call the "liberal-pluralist" interpretation of the original institutional design in providing a more subtle version of it. Specifically, unlike other scholars, he resisted the suggestion that the Framers believed that they had established an "automatic government"-a mechanism so skillfully contrived that it could be run by a band of devils. He pointed to the importance

of executive initiative in shaping public policy ("Founding," *p.91)* and contended that the "jostling" and "confusion" of interest group activity would at times give representatives enough room to pursue the public good on its own merits ("Founding," pp. *77-78, 80).* He also differed from many other scholars who see pluralistic democracy at the core of the American political system in his belief that formal constitutional arrangements would have a profound influence upon political behavior and were not infinitely malleable before "inputs" (especially interest groups and public opinion) to the political system.[13]

But despite its subtlety and distance from similar but less carefully conceived interpretations, Diamond's analysis of the extended republic and the original design of the American political system fails to convey an appreciation for Madison's real goals. First, a comprehensive and close reading of all of Madison's writings from 1782 to 1792 establishes that Madison had a much more enlarged conception of representation than Diamond's interpretation suggests. Madison did not hope to establish a system in which interest group jostling would occasionally give representatives enough room to consider questions of public policy on their own merits. Instead, Madison proposed elections from expanded electoral districts as means of promoting the election of men of "enlightened views and virtuous sentiments" "whose wisdom may best discern the true interest of their country, and whose patriotism and love of justice will be least likely to sacrifice it to temporary or partial considerations" *(Federalist* No. 10, p. *62).* Madison hoped that local concerns and views would be understood in Congress, but he did not hope that they would be the foundation for calculations by representatives. The penetration of factions into the legislative arena was viewed by Madison (and "Publius" in general) as a poison to the deliberation which they hoped would serve as the basis for the formation of legislative majorities. Moreover, expanded electoral districts and extent of territory were combined to give representatives an initial and crucial distance from their constituents' most immediate claims. This distance was essential for allowing representatives to consider the numerous local and partial claims and then

consider their relationship to the public good. Most important, Madison saw the purpose of the original design as establishing the national government as an impartial arbiter-"a disinterested and dispassionate umpire"-among the claims of interests. [14] Far from welcoming the infiltration of interests into our public institutions, he sought to establish obstacles to their access and to adjudicate between their claims in light of the higher standards of the public good and private rights.[15]

Second, even the commonplace claim that Madison relied upon the extended republic and institutional design to combat the "defect of better motives" in the people and their representatives must be carefully made if it is to capture Madison's intentions. Throughout *The Federalist* and his private papers, Madison presented a complex view of human motivation rooted in the belief that citizens and representatives alike will often be overpowered by their worst inclinations. But Madison also believed that for bad inclinations or motives to issue in improper behavior, individuals had to be given the opportunity to act on these inclinations. The role of extent of territory, properly designed political institutions, and indeed even public policies was to "remove the pretext"[16] for improper action by separating the interested or unjust motive from the opportunity to act inappropriately on it and to channel otherwise defective motives in the service of the public good. The extended republic diffused passions, erected barriers to the communication and concert of interested majorities, and acted to diminish the mob psychology which often governed majority factions. The constitutional system of separation of powers was designed around a series of carrots (the dignity, privileges, and fame that office afforded) as well as sticks (including fear of rebuke at the next election and the understanding that representatives could make no law which did not operate also on themselves) that would elicit virtuous and neutralize selfish behavior in public officials.'

In contrast to this interpretation, Diamond at times argued that the extended republic and the political system that would govern it were designed to magnify selfishness in the citizenry and public officials and was premised on the belief that private vices would

issue in public virtues. Specifically, Diamond contended that the Madisonian solution to the class struggle "deliberately risks magnifying and multiplying in American life the selfish, the interested, the narrow, the vulgar, and the crassly economic" ("Ethics," p. 355). "The Madisonian solution," he wrote in another essay, "involved a fundamental reliance on ceaseless striving after immediate interest (perhaps now immediate gratification)" ("Democracy," pp. 34-35). This, according to Diamond, was the "cost of Madison's policy, the price to be paid in order to enjoy its many blessings" ("Ethics," p. 355). For the system to work and ideological conflict to be muted, Diamond maintained, individuals had to be made to seek small, immediate economic gains. Similarly, in analyzing the goal of separation of powers, Diamond asserted that "if the government is properly arranged, presidents and judges will defend their offices against the legislature because their pride, love of power or fame, *even avarice,* will lead them to identify their self-interest with the integrity of their offices" ("Diamond's `Federalist,'" p. 50 (emphasis mine).

Contrary to Diamond's assertions, Madison certainly never hoped to encourage citizens to pursue their immediate interest or gratification. Again, this was a general proposition that Diamond made about the conditions that were necessary to avert the class struggle and has little to do with anything Madison ever said or wrote. As Eugene Miller has pointed out, "Diamond holds that Publius relied fundamentally on striving after immediate interest, but the fact is that Publius warns, on several occasions, that a preoccupation with `immediate interest' can draw us away from our true interests. Publius certainly does not prefer that political judgments be guided by immediate interests."[18]

Furthermore, even in his famous defense of interest and ambition as guarantees of separation of powers, Madison said only part of what Diamond attributed to him. Diamond was correct to assert that Madison hoped that public officals would be interested in their sphere of legitimate constitutional authority and thus would jealously guard it against encroachments from the other branches. As Diamond observed, Madison also hoped to elicit the desire of

representatives for lasting fame-a desire which Madison believed would lead them to resist the temporary inclinations and passions of the people in order to advance the long term good of the public. Nevertheless, Madison did not in *Federalist* No. 51 nor anywhere else in his writings suggest that public officals should be motivated by "avarice" or contend that representatives should try to make money from office or simply identify their constituents' interests with the public good.[19]

Furthermore, Madison's understanding of the relationship of virtue, interest, and constitutional structure rests on a distinction-unrecognized or at least unaccepted by Diamond and many of Madison's other interpreters-between an action *motivated* by interest and an *action* with a selfish effect.[20] Stated differently, Madison recognized that there is a substantial difference between the belief that less than noble *motives* can be elicited in the service of actions that advance the public good and the contention that the uncertain combinations of selfish *actions* will inadvertently result in the public good. Even as he suggests that interested motives can be summoned constructively, Madison does not defend selfish or interested *behavior* in either the citizenry or public officials. To use a concrete example, Madison suggests that representatives' interest in their sphere of constitutional power can be constructively liberated in order to prevent encroachments of power by the other branches. He does not suggest that public officials should pursue as much institutional power as possible and that a balanced constitutional structure will result from the free interplay of their struggles. Finally, as this example should suggest, Madison defended the eliciting of interest as a means of *counteracting* (acting against or neutralizing) interest; he never sought to magnify selfish actions in the hope that the common interest would inadvertently emerge from their free interplay.

The Founders: Ancients, Moderns or ...?

A final-still broader-dimension of Diamond's scholarship that also merits reconsideration concerns his application of Leo Strauss's ancients *versus* moderns interpretation of the history of political

thought to the study of the American Founding. The readership of this journal needs no introduction to this interpretative framework, but briefly stated, Strauss divided the history of political thought into two fundamentally opposing camps. The ancients, according to Strauss, conceived of man as a "political animal," favored straining every nerve to promote the full development of the virtue of a few naturally superior individuals, constructed societies based on a shared conception of the good life, and adopted character-forming laws that sought to realize this shared conception. In contrast, the moderns repudiated the ancients by taking men "as they were," by trying to channel constructively the passions of the many into constitutional mechanisms and political architecture rather than developing the virtue of the few, and by constructing political systems aimed solely at protecting individual rights. One of Diamond's most contentious-and revolutionary-interpretive maneuvers was to apply this understanding of the unfolding of the history of political thought to the Founders and to place them squarely on the side of the moderns. "The American regime," Diamond wrote, "is a paradigm of modernity. It is in a way *the* modern regime."[21]

It is certainly beyond the scope of this essay to try to refute decisively such a sweeping and important approach to interpreting the Founding. Nor indeed would this be my goal anyway-primarily because this approach doubtlessly illuminates significant dimensions of the political thought of the Founders even as it masks others. Nevertheless, I would suggest that there are now two closely-related reasons for questioning whether this interpretative framework is the best way to approach the study of the political thought of many of the American Founders, including James Madison.

First, we need to ask ourselves whether this configuration of the history of political thought accurately represents the Founders' own self-understanding of their project. Did the Founders, in other words, accept this great antithesis of ancients and moderns that Strauss observed and thus believe that they had to make a choice between two mutually exclusive alternatives within the history of political thought?[22] Was this, in other words, the Founders' understanding of the history of political thought or is it a framework that

we have imposed upon them? If it is ours, then we should realize that we have attempted to map their political thought onto a framework of analysis that they would not have accepted and on the way violated a fundamental rule of interpretation which suggests that we seek first to understand past thinkers as they understood themselves.

Second, recent scholarship on the American Founding challenges scholars to explore the differences of the Founders' political thought from *both* ancient and modern political thought and to establish its peculiarity and significance. After a long, fruitful, but now exhausted debate about whether the political ideas of the American Founding were found in classical republicanism or Lockean liberalism, most scholars have now settled upon the understanding that the Founders' political thought was a coherent but synthetic blend of ancient and modern political thought. Such a resolution suggests that we need now to examine not whether the Founders were ancients or moderns but the ways in which they selectively appropriated and creatively reformulated political ideals to address the numerous political problems that they faced. Such an approach I would suggest would compel us to understand the Founders' political thought in its historical ambiguity and then to appreciate its distinctiveness not only from ancient political thought, but from our contemporary politics of bargaining and compromising as well.

America's Better Self

So far in this essay, I have argued that Martin Diamond erred in his understanding of Madison's beliefs about the foundations of the American political system. More specifically, I have contended that Madison is not properly thought of as a "commercial republican" or an "institutionalist" (if it is meant by this that he believed that institutional arrangements could substitute for virtue in the people and character and statesmanship in their leaders). I have also stressed the limitations of the "ancients *versus* moderns" framework of interpretation that Diamond applied to the Founders and suggested that Madison did not see himself as a "modern" repudiating the ancients and attempting to lower the ends of government.

In general, however, each of these specific arguments point to

a still broader contention that demands further analysis in the future, namely that Diamond's brillant studies of the American character and regime are strongest as explications of what America became but may misrepresent what the Founders intended for it to be. If this is true, future scholarship, needs to address anew what a Madisonian understanding of the relationship of ethics and politics would entail and (following Diamond's guidelines) how America's political institutions could be improved within the limits imposed by the genius of our political order.

There are many paths that might be explored here. We need a fresh examination of the Founders' understanding of how the character of the American people would be maintained that does not begin with the assumption that the Founders hoped to magnify selfishness in order to mute ideological conflict or that they believed that private vices would inadverently beget public goods. We also need studies of the Founders' expectations for the role that the institutions of civil society would play in fostering virtue in the citizenry. In other words, whereas Diamond began with the belief that commerce would be the foundation of American society and that whatever virtues the American people would have would flow from this source, we need to examine the Founders' beliefs about the impact that education, political associations, family, and church would have on the people.

Mostly, however, we need to reconsider the relationship of private power to American democracy from the perspective of the Founding. Here, we would need to begin with the understanding that, far from being the actualization of Madison's intentions, the current system of interest group liberalism is a Madisonian nightmare. Interests gain access and influence by contributing to campaigns, lobbying for exceptions and favors, and capturing the very regulatory agencies that were meant to control them. As a result, interests end up acting as judges in their own causes and the national government ends up being anything but an impartial arbiter.

In contrast, as noted, Madison believed that it was egregiously wrong for public officials to try to advance their own economic interests through office and also insisted that representatives keep

the broader public interest in mind when they asserted the interests of their constituents. In general, he hoped to erect a political system that could both identify and pursue the common good.

The task for scholars, then, is to explore how the Madisonian goal of establishing Congress as a "disinterested and dispassionate umpire" without creating a will independent of the people can be achieved as the twentieth century threatens to become the twenty first. Such an examination will lead us to reconsider, for example, how Congressional reorganization, campaign finance reform, and changes in how Congress delegates authority to regulatory agencies affect the relationship of representation and interest groups.

Most important, in each of these explorations, we need lose none of Diamond's appreciation that much of America's better self is rooted in its creation.

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NOTES

1. Martin Diamond, "Ethics and Politics: The American Way," originally published in *The Moral Foundations of the American Republic,* ed. Robert M. Horwitz, Charlottesville, *1977,* University of Virginia Press, was reprinted in *As Far As Republican Principles Will Admit: Essays by Martin Diamond,* ed. William A. Schambra, Washington, 1992, AEI Press. Citations in parentheses herein will be to "Ethics" and will cite page numbers in the Schambra edition. The citation in this instance is to p. *356* in the Schambra edition.

2. In addition to my essays, cited below, Lance Banning has also offered a strong critique of several dimensions of Diamond's interpretations of James Madison. See his *The Sacred Fire of Liberty: James Madison and the Founding of the Federal Republic,* Ithaca, 1995, Cornell University Press, especially at pp. *62-65,* 202-13.

3. For now, see Alan Gibson, "Impartial Representation and the Extended Republic: Toward a Comprehensive and Balanced Reading of the Tenth *Federalist* Paper," *History of Political Thought, vol. 12,* Summer, 1991, pp.263-304; Gibson, "The Commercial Repub-

lic and the Pluralist Critique of Marxism: An Analysis of Martin Diamond's Interpretation of *Federalist* No. 10," *Polity,* vol. *25,* Summer 1993, *pp. 497-545.*

4. Martin Diamond, Winston Mills Fisk, and Herbert Garfinkel, *The Democratic Republic,* Chicago, 1966, Rand McNally. The first few chapters of this book were reprinted in Martin Diamond, *The Founding of the Democratic Republic,* ed. William A. Schambra, Itasca, IL, 1981, F. E. Peacock. Citations in parentheses within the text will be to "Founding" and will cite the page numbers in this Schambra edition. The citation here is to p. *74* thereof.

5. This observation is attributed to Diamond by Walter Berns, "The Constitution as Bill of Rights," in *How Does the Constitution Secure Rights?* ed. Robert A. Goldwin and William A. Schambra, Washington, 1985, AEI Press, at *p.63.* Several of Diamond's contemporaries have also told me that he often made this point.

6. Martin Diamond, "Democracy and *The Federalist,"* first published in *American Political Science Review,* vol. *53,* no, 1, March *1959,* p. *52.* Reprinted in Schambra, note 1, *supra,* at pp. 17-*36.* Citations in parentheses within the text will be to "Democracy." The citation here is to p. *33.*

7. Martin Diamond, *"The Federalist* 1787-1788," first published in *History of Political Philosophy,* ed. Leo Strauss and Joseph Cropsey, Chicago, 1963, Rand McNally. Reprinted in Schambra, note 1, *supra.* Citations in parentheses within the text will be to "Diamond's `Federalist'" and will give page citations to Schambra. In this instance the citation is to pp. *55-56* in the Schambra edition.

8. Alexander Hamilton, James Madison, and John Jay, *The Federalist,* ed. Jacob E. Cooke, Hanover, NH, 1961, University Press of New England (Wesleyan University Press), p. *58.* Citations in parentheses within the text are to "Federalist."

9. Most recently, Francis Fukuyama's article, "The End of History" *(The National Interest,* Summer 1989, pp. 3-18) repeated a variation of Diamond's assertion that commercialization could defuse ideological conflict. Diamond and other scholars who accept this argument, however, face an unresolved tension. They suggest, on the one hand, that Marxists are incorrect to predict the advent of

a classless society and transformations in human nature that will supposedly accompany it. Nevertheless, "end of ideology" and "end of history" arguments also suggest that the tendency of men and women to engage in conflict over ideology, religious beliefs, and passionate attachments to leaders will somehow end or at least be ameliorated as capitalism advances. In other words, what end of ideology arguments share with Marxism is the belief that there will be a transformation in human nature and an altering of the sources of political conflict as history advances. Especially if ethnicity is added to the list of sources of political conflict (a prospect that neither Madison nor Diamond really explored), then end of ideology arguments seem to me to be as fundamentally naive and ahistorical as Marxist contentions about the advent of a classless society. Stated conversely, conflicts over ethnicity, religion, and ideology are as historically persistent and as rooted in human nature as those over class and interest and it seems unlikely that any of these sources of political conflict will wither away.

10. Drew McCoy, *The Elusive Republic: Political Economy in Jeffersonian America,* Chapel Hill, 1980, University of North Carolina Press, pp.120-35. See also Banning, *op. cit.,* note *2, supra,* pp. *62-65.*

11. Diamond called this statement "perhaps the most remarkable and revealing single sentence" in *The* Federalist.(Diamond's Federalist, p. *57 in* Schambra ed.)

12. The appeal and persistence of this interpretation to both the critics and the defenders of the American political system is understandable. Indeed, there is a symbiotic consensus between the defenders and the opponents in favor of this interpretation. The latter blame the original design of the American political system for a range of problems from the failure of the United States to develop a modem regulatory and redistributive state to the lack of meaningful community in America, while the latter praise the Founders as architects of democratic capitalism. For both critics and defenders, however, the liberal pluralist interpretation provides a concrete point of origin for their analyses and a straightforward account of American political development.

Republic, note 4, *supra, p. 99* for a concise statement of Diamond's belief that political behavior is profoundly influenced by formal constitutional arrangements.

14. The quoted phrase is from Madison's letter to George Washington, 16 April 1787. *The Papers of James Madison,* ed., William T. Hutchinson *et al.,* Chicago and Charlottesville, 1962-, vol. *9,* p. *384.*

15. Madison's aspiration was that the political system would operate in this fashion. He nevertheless also understood that local interests and particular concerns would often overpower broader considerations of the public good. My point is that he designed the political system to achieve his aspirations, not his anxieties. See my "Impartial Representation," note *3, supra,* at pp. 271-82.

16. This phrase, which is common in Madison's writings, is quoted here from his letter to Jefferson, 17 October 1788. See Marvin Meyers, ed., *The Mind of the Founder: Sources of the Political Thought of James Madison,* Hanover, NH, 1973, University Press of New England, p. 159.

17. This interpretation is built from a reading of *Federalist* No. 10 and No, *51,* and especially from No. *57.*

18. Eugene Miller, "What Publius Says About Interest," *Political Science Reviewer,* vol. *19,* Spring 1990, p. *33.*

19. In making this interpretation, Diamond fastened upon Madison's famous statements that "interest must be made to counteract interest" and "ambition must be made to counteract ambition." Like many other scholars, he then interpreted Madison's use of "interest" here as referring to personal, material advantage. Nevertheless, as I point out above, the explicit motive that Madison is trying to elicit from public officials here is simply a concern for the sphere of power that they are legitimately given by the Constitution. Furthermore, throughout his life, Madison vehemently opposed speculation by representatives and, in general, opposed the use of public office for private gain. His personal rule for remaining disinterested was "never to deal in public property, lands, debts or money, whilst a member of the body whose proceedings might influence these transactions." Madison even refused to use statio-

influence these transactions." Madison even refused to use stationery provided for Congressmen because it was purchased with public funds. See "James Madison's Autobiography," ed. Douglass Adair, *William and Mary Quarterly,* vol. 2, April 1945, pp. 203-04

20. An excellent analysis of Madison's understanding of the relationship of virtue, interest, and institutional structure can be found in Joseph F. Kobylka and Bradley Kent Carter, "Madison, *The Federalist,* and the Constituional Order: Human Nature and Institutional Structure," *Polity,* vol. 20, Winter 1987, pp. 190- 208. Kobylka and Carter properly point out that Madison had an ambiguous view of human nature rooted in the belief that individuals were capable of both virtuous and selfish actions and that he saw institutional structure as a means of checking the ignoble and promoting the noble.

21. Martin Diamond, "On the Study of Politics in a Liberal Education," in Schambra, note 1, *supra, p.* 280. Emphasis is Diamond's.

22. This point is made eloquently by Marvin Meyers in a provocative appreciation of Diamond's scholarship. See Meyers, "The Least Imperfect Government: On Martin Diamond's `Ethics and Politics'," *Interpretation: A Journal of Political Philosophy,* vol. 8, May 1980, especially at pp. 11-13. In particular, Meyers notes that this framework of interpretation "grants too much to sweeping philosophical abstraction and so leaves too little room for historical particularity." He also notes that the Founders did not take aim at at the ancient regime, but fought against a "model of Early Modern polity that blended remnants of the canon and the feudal law, loosely conceived (by John Adams, for example) as general forms of clerical and aristocratic oppression, with a new kind of enlightened despotism, concentrating and rationalizing and enlarging the powers of the state through its monarchical head." Finally, Meyers notes that the Founders did not view themselves as lowering the ends of government, but rather as elevating America to the "full dignity of human nature."