

Federalist 2.0 – Chapter 1 – Article 05

By Publius in 2010

Article 05 – Factors of faction & insurrection

Quote One: Democracy is two wolves and a lamb voting on what to have for lunch. Liberty is a well-armed lamb contesting the vote.

Quote Two: When the people find that they can vote themselves money, that will herald the end of the republic.

Quote Three: There is no kind of dishonesty into which otherwise good people more easily and more frequently fall than that of defrauding the government.

Three Quotes by Benjamin Franklin

For our fifth and final article for Chapter 1 of the Federalist 2.0, we will explore the impact of factions (groups of people with similar interests) and their associated insurrections (negative actions on society) and the relationship these factions have to the Union of the United States of America. Thus, among the numerous advantages promised by a well constructed Union, none deserves to be more accurately developed than a Union's tendency and ability to break and control the violence of factions. Factions, the friend of popular governments, never find themselves so much cultivated due to their character and fate, as they tend to appear due to a government's propensity to this dangerous vice which can unleash factions that do not preserve liberty. We will not fail, therefore, to set a due value on any efforts which, without violating the principles to which one is attached, provides a proper cure to prevent the birth of oppressive factions. The instability, injustice, and confusion introduced into the public governing councils by ill intended factions, have, in truth, historically been the mortal disease under which popular governments everywhere have perished; such that factions, that are adversaries to liberty, continue to identify these facts as their favorite and fruitful topics from which they derive their most specious declamations to remain in power or grow their power over time while increasing the chaos to continue their justification to exist. The valuable improvements made by the American constitution on the popular governing models, both ancient and modern, cannot certainly be too much admired; but it would be an unwarrantable bias, to contend that the current Constitution has effectually eliminated the danger on the side of unleashing factions of vice, as was wished and expected.

The Wikipedia Entry States:

Political faction is a grouping of like-minded individuals, especially within a political organization, such as a [political party](#), a [trade union](#), or other group. There is no single, widely accepted definition of factions or factionalism, nor broad agreement as to whether factionalism is inherent in certain institutional structures. The individuals within a faction are united in a common goal or set of common goals for the organization they are a part of, not necessarily shared by all of that organization's members. They band together as a way of achieving these goals and advancing their agenda and position within the organization. A political faction could thus be described as a "party within a party." However, political factions are not limited to political parties; they can and frequently do form within any group that has some sort of political aim or purpose. The Latin word **factio** denoted originally ... of the chariot teams that were organized professionally by private companies in ancient Rome. These teams were not unlike [gladiator schools](#), but the lethal nature of that entertainment meant few performers lasted long enough to build up similar crowd loyalty to the team, while the fighters rarely actually teamed up, but rather fought duels or beasts. In Byzantine Constantinople, two such chariot factions, blue and green, repeatedly made or broke the claims of candidates to the imperial throne.¹

Dictionary.com Defines: Faction

- 1) a group or clique within a larger group, party, government, organization, or the like: a faction in favor of big business.
- 2) party strife and intrigue; dissension: an era of faction and treason.²

Wiki.Answers.com Define: How did James Madison define faction?

Of all the Federalist Papers written by John Jay, James Madison, and Alexander Hamilton, perhaps the most famous and the one most quoted is Federalist No. 10, by Madison. Many people had argued against the new Constitution claiming that the US would be too large to govern as a democracy (republic) and had too many groups, or "factions," as political parties were then called. While Madison acknowledged that there were many differing factions, he also indicated that a democratic form of government, using the ideal of majority rule, would tame the factions and cause them to work together as much as possible. He claimed that the republican form of government created by the new Constitution would allow all the factions the room and venues to express themselves and to influence the workings of government by getting their members elected and/or appointed to offices. Minority groups would be protected because the factions would have to negotiate their differences. In this way, the republic would create a system of government in which the majority would rule but the ideas of the minority would have to be taken into consideration. Numerous factions would also mean that no one group would be able to take complete control of the government and this would give rise to what Madison called "politics," namely, the art of governing.³

¹ http://en.wikipedia.org/wiki/Political_faction (February 21, 2010)

² <http://dictionary.reference.com/browse/faction> (February 21, 2010)

³ http://wiki.answers.com/Q/How_did_James_Madison_define_faction (February 21, 2010)

Complaints are everywhere heard from our most considerate and virtuous citizens, equally the friends of public and private faith, and of public and personal liberty, that our government is too unstable, that the public good is disregarded in the conflicts of rival parties, with their progressive advancements, and that legislative measures are too often decided, not according to the rules of justice and the rights of the minor party, but by the superior force of an interested and overbearing majority which has the power to implement their brand of governance and justice. However anxiously we may wish that these complaints of growing trouble have no foundation, the evidence, of known facts will not permit us to deny that they are in some degree true. It will be found, indeed, on a candid review of our situation, that some of the distresses under which we live have been erroneously charged on the general operation of our government; but it will be found, at the same time, that other causes will not alone account for many of our heaviest misfortunes such as the assignment of fault to the financial system or to the "rich" and greedy citizens; and, particularly, for the prevailing and increasing distrust of the growing number of public works and engagements, and alarm for the evaporation of private rights, for which these events are broadcast from one end of the continent to the other. This distress must be chiefly, if not wholly, the effect of the unsteady and unjust spirit with which factious individuals have infiltrated our public administrations, leading their factions, with the consequence of governing with Reason and Vice instead of Reason and Virtue. This brings us to our first "Principle of Faction and Insurrection", "When the citizenship of a nation complain of a government that is unstable and increasingly oppressive, the fault does not lie in the overall structure of the government [the economy or the citizenry], but will usually be the fault of those whom are governing the citizenship, since they have an eye of selfish intent on the behalf of their own factions, which will lead to decisions born from Reason and Vice resulting in unstable and oppressive governing laws and regulations."

A pure democracy . . . can admit no cure for the mischiefs of faction . . . There is nothing to check the inducements to sacrifice the weaker party . . . Hence it is that such democracies have ever been found incompatible with personal security or the rights of property; and have in general been a short in their lives as they have been violent in their deaths.

—James Madison

By a faction, as we understand it, would mean a number of citizens, whether amounting to a majority or a minority of the whole, who are united, actuated and motivated by some common impulse of passion, or of interest, adverse and misaligned to the rights of other citizens or to the permanent and aggregate interests of the community. Such that there are two methods of curing the mischief of faction: the one, by removing its causes; the other, by controlling its effects. Where there are also two methods of removing the causes of faction: the one, by destroying the liberty which is essential to a faction's existence; the other, by giving to every citizen the same opinions, the same passions, and the same interests such that no faction can grow power significantly enough to oppress another faction, group or individual. Thus, we come to our second "Principle of Faction and Insurrection", "There are two methods in which to cure the existence of factions, the first would be to remove its causes; the second would be to control its effects". Then the third "Principle of Faction and Insurrection" would be, "Historically there have been two consistently used methods for removing the causes of factions, the first method is to destroy individual liberty, through the materialistic elimination of the ownership of property, in order to extinguish the mechanisms that allow factions to thrive and the second method is to give to the citizenry a idealistic norm where there would be equal opinions, passions and interests such that no faction would be able to grow separately from the idealized norm."

...a frequent recurrence to fundamental principles...is absolutely necessary to preserve the blessings of liberty and keep a government free.

— Benjamin Franklin

It could never be more truly said that of the first remedy, that it is worse than the disease. Liberty is to faction what air is to fire, an aliment without which it instantly expires. But it could not be less folly to abolish liberty, which is essential to political life, because it nourishes faction, than it would be to wish the annihilation of air, which is essential to animal life, because it gives to fire its destructive agency [with no air there can be no fire]. The second expedient is as impracticable as the first would be unwise. As long as the reason of man continues to be fallible, and he is at liberty to exercise it, different opinions will be formed. As long as the connection exists between one's reason and one's self-love, ones opinions and ones passions, with a person's associated vices, will it have a reciprocal influence on each other; and the former will be objects to which the latter will be attached to them. The diversity in the abilities and faculties of mankind, from which the rights of property originate, is no less an unsurpassable obstacle to a desire for a uniformity of interests of a society. The protection of these abilities and faculties is the first object of government. From the

protection of different and unequal abilities and faculties of acquiring property, the possession of different degrees and kinds of property immediately result; and from the influence of these on the sentiments and views of the respective property owners, follows a division of the society into different interests and parties.⁴ The fourth “Principle of Faction and Insurrection” would then be, “The first object of government is the protection of the diversity in abilities and faculties of mankind from which the rights of property originate, thus eliminating the options to manage the effects of factions through restricting liberty or implementing legislation to achieve uniformity of interests within the society.”

When we say, that all men are equal; we mean not to apply this equality to their virtues, their talents, their dispositions, or their acquirements. In all these respects, there is, and it is fit for the great purpose of society that there should be, great inequality among men.

– James Wilson

The latent causes of faction are thus sown in the nature of mankind; and we see them everywhere brought into different degrees of activity, according to the different circumstances of civil society. A zeal for different opinions concerning religion, concerning government, and many other points, as well of speculation as of practice; an attachment to different leaders ambitiously contending for pre-eminence and power; or to persons of other descriptions whose fortunes have been interesting to the human passions, have, in turn, divided mankind into parties, inflamed them with mutual animosity, and rendered them much more disposed to vex and oppress each other than to co-operate for their common good. So strong is this propensity of mankind to fall into mutual animosities, that where no substantial occasion presents itself, the most frivolous and fanciful distinctions have been sufficient to kindle their unfriendly passions and excite their most violent conflicts. But the most common and durable source of factions has been the various and unequal distribution of property. Those who hold and those who are without property have ever formed distinct interests in society. Those who are creditors, and those who are debtors, fall under a like discrimination. A landed interest, a manufacturing interest, a mercantile interest, a moneyed interest, with many lesser interests, grow up of necessity in civilized nations, and divide themselves into different classes, actuated by different sentiments and views. The regulation of these various and interfering interests forms the principal task of modern legislation, and involves the spirit of political parties, and their associated factions, in the necessary and ordinary operations of the government. Such that the fifth “Principle of Faction and Insurrection” is then, “Latent causes of faction are sown in the nature of mankind due to the fact that mankind has the ability and capacity to obtain and hold varying amounts/types of property. The regulation of the various and interfering individuals and groups, which can hold differing amounts/types of property, forms the principal task of modern legislation and involves the integration of political parties, and their associated factions, in the necessary and ordinary operations of the government without allowing one group or faction to harm or oppress another group or faction.”

To take from one, because it is thought that his own industry and that of his father's has acquired too much, in order to spare others, who, or whose fathers have not exercised equal industry and skill, is to violate arbitrarily the first principle of association, 'the guarantee to every one of a free exercise of his industry, and the fruits acquired by it'.

– Thomas Jefferson

With respect to an individual's responsibility to govern honestly, it is difficult to conceive how this honest responsibility could be increased. Every consideration that can influence the human mind, such as honor, oaths, reputations, conscience, the love of country, and family affections and attachments, afford security for their fidelity and faithfulness. In short, as the Constitution has taken the utmost care to ensure that they shall be persons of talents and integrity, we have reason to be persuaded that the treaties they make will be as advantageous as, all circumstances considered, could be made; and so far as the governing individual's fear of punishment and disgrace can operate, that motive in which we could create to encourage and promote good behavior is amply provided by the articles in the Constitution on the subject and the ability of the governed to impeach the representatives of the government when they so desire.

God grant that not only the love of liberty but a thorough knowledge of the rights of man may pervade all the nations of the earth, so that a philosopher may set his foot anywhere on its surface and say: This is my country.

– Benjamin Franklin

It is a misfortune, inseparable from human affairs, that public measures are rarely developed, investigated and assessed with that spirit of moderation which is essential to a just determination of a public measure's

⁴ <http://www.constitution.org/fed/federa10.htm>

real tendency to either advance or obstruct the general public good; and that this kind of spirit and effort is more apt to be diminished than promoted, in those situations which most require an unusual exercise of such scrutiny. To those who have been led by experience to have your attention in this direction, it will not appear surprising that the creation of the Federalist 2.0 articles to recommend many important innovations in administering the current Constitution, which may be viewed in so many lights and relations, and which touches the springs of so many passions and interests, should find or excite dispositions which would be unfriendly, both on one side and on the other, to have a fair discussion and accurate judgment of its merits to proceed with such an effort. In some, it has been too evident from their own publications and political points of view, that they have scanned the existing Constitution, not only with a predisposition to ignore it's text, but with a predetermination to condemn the intent of the document; as the language held by others betrays an opposite predetermination or bias, which must render their opinions less able to support the question at the moment. In placing, however, these different characters on a level playing field, with respect to also including the weight of their opinions, we should wish not to second guess ourselves that there may be a material difference in the purity of their intentions. Thus, we come to our sixth "Principle of Faction and Insurrection", "The second objective of a government, based on a democratic republic, is to provide for the effective path to elect representatives who represent the citizenry while also providing methods to determine the efficacy of public measures that are tempered to protect against the impact of the negative influences of factions; with the ultimate power of the citizenry to remove, through impeachment, those representatives whom they elect."

*If men were angels, no government would be necessary.
— James Madison*

It is then just to remark in favor of the position that the current challenges result from a governing body that is more focused on the satisfaction of their faction's needs than the need to guide a republic to the welfare of all citizens, which for our situation could be universally admitted to be peculiarly critical, and to require the governing class's action to be absolutely necessary to do something for our own relief or for our own representation of a faction's interest, the predetermined patron of what has been actually done may have taken their bias from the weight of these more noble considerations to govern with honesty and integrity, as well as from considerations of a sinister nature. The predetermined adversary, on the other hand, could have been governed by no excusable motive whatever. The intentions of the first may be upright, as they may on the contrary be culpable. The views of the last cannot be upright and must be culpable. But the truth is that these papers are not addressed to persons falling under either of these characters. These words reach out for the attention of those only, who add to a sincere zeal for the happiness of their country, a temper favorable to a just estimate of the means of promoting a government guided by a strong and benevolent character that would use Reason and Virtue in deciding the matters of the Union. The seventh "Principle of Faction and Insurrection" then would be, "The government framework must support the selection of individuals who possess the character to do what is right for the general good of the Union, while rejecting activities that will eventually support a faction's needs at the expense of the Union."

Is the relinquishment of the trial by jury and the liberty of the press necessary for your liberty? Will the abandonment of your most sacred rights tend to the security of your liberty? Liberty, the greatest of all earthly blessings — give us that precious jewel, and you may take every thing else! Guard with jealous attention the public liberty. Suspect everyone who approaches that jewel.

— Patrick Henry, speech in the Virginia Convention, June 5, 1788

Among the difficulties encountered by the convention in the 1700s, a very important one must have been in combining the requisite stability and energy in government, with the inviolable attention due to the mechanisms of liberty and to the republican form required to keep it functioning. Energy in government is essential to that security against external and internal danger, and to that prompt and salutary execution of the laws which enter into the very definition of good government. Stability in government is essential to national character and to the advantages required by it, as well as to that repose and confidence in the minds of the people, which are among the chief blessings of civil society. An irregular and mutable legislation is not more an evil in itself than it can be detestable to the people if it becomes regular and active in its intent; and it may be pronounced with assurance that the people of this country, enlightened as they are with regard to the nature, and interested, as the great body of them are, in the effects of good government, will never be satisfied till some remedy be applied to the alterations and uncertainties which characterize the State administrations. On comparing, however, these valuable ingredients with the vital principles of liberty, we must understand at once the difficulty of mingling them together in their correct proportions. The genius of republican liberty seems to demand on one side, not only that all power should be derived from the

people, but those that are entrusted with this power should be kept independent from the people, by a short duration of their appointments; and that even during this short period the trust should be placed not in a few, but a large number of hands. Stability, on the contrary, requires that the hands in which power are lodged should continue for a length of time without change. But is also true that a frequent change of men will result from a frequent return of elections; and a frequent change of measures from a frequent change of men can result in a constant that does not progress on the boundaries of liberty: where we realize that energy in government requires not only a certain duration of power, but the execution of it by only a single person. Such that we come to the eighth most important "Principle of Faction and Insurrection" for the security of liberty, "The third option for controlling faction's negative effects would be to construct a political system that would control factions by not allowing them to take hold in the first place. With the duration of political positions short and the strength of political positions diluted among many individuals who must share in the power and responsibility, no one individual or group can place an anchor of faction to the detriment of the individual, group, or Nation. With the primary premise of this function, to set to blowing ashes the flames of passionate factions, to ensure that encroachments on liberties such as the freedom of religion and freedom to obtain and hold property [and grow wealth] through open economic means are thrust into a labyrinth of hurdles of checks and balances such that resulting legislation would result in no legislation or would transform the legislation into something that ensures the smallest minority is heard and protected from abusive controls."⁵

Freedom is not a gift bestowed upon us by other men, but a right that belongs to us by the laws of God and nature.

– Ben Franklin

Principles of Faction and Insurrection

#1 – Unstable and Oppressive governments are managed by those with Reason and Vice

When the citizenship of a nation complain of a government that is unstable and increasingly oppressive, the fault does not lie in the overall structure of the government [the economy or the citizenry], but will usually be the fault of those whom are governing the citizenship, since they have an eye of selfish intent on the behalf of their own factions, which will lead to decisions born from Reason and Vice resulting in unstable and oppressive governing laws and regulations.

#2 – The Cure for Controlling Factions

There are two methods in which to cure the existence of factions, the first would be to remove its causes; the second would be to control its effects.

#3 – The Method for Removing Factions

Historically there have been two consistently used methods for removing the causes of factions, the first method is to destroy individual liberty, through the materialistic elimination of the ownership of property, in order to extinguish the mechanisms that allow factions to thrive and the second method is to give to the citizenry a idealistic norm where there would be equal opinions, passions and interests such that no faction would be able to grow separately from the idealized norm.

#4 – First Objective: Protect the diverse abilities and faculties which result in the creation of Property

The first object of government is the protection of the diversity in abilities and faculties of mankind from which the rights of property originate, thus eliminating the options to manage the effects of factions through restricting liberty or implementing legislation to achieve uniformity of interests within the society.

#5 – First Principle Task: Promote legislation with the widest positive impact without harm to individuals

Latent causes of faction are sown in the nature of mankind due to the fact that mankind has the ability and capacity to obtain and hold varying amounts/types of property. The regulation of the various and interfering individuals and groups, which can hold differing amounts/types of property, forms the principal task of modern legislation, and involves the integration of political parties, and their associated factions, in the necessary and ordinary operations of the government without allowing one group or faction to harm or oppress another group or faction.

#6 – Second Objective: Promote legislative measures that enhance public good

The second objective of a government, based on a democratic republic, is to provide for the effective path to elect representatives who represent the citizenry while also providing methods to determine the efficacy of

⁵ <http://www.constitution.org/fed/federa37.htm>

public measures that are tempered to protect against the impact of the negative influences of factions; with the ultimate power of the citizenry to remove, through impeachment, those representatives whom they elect.

#7 – Third Objective: Support the Election of individuals with a strong character with Reason and Virtue

The government framework must support the selection of individuals who possess the character to do what is right for the general good of the Union, while rejecting activities that will eventually support a faction's needs at the expense of the Union.

#8 – Second Principle Task: The controlling of faction's impact by denying the faction life

The third option for controlling faction's negative effects would be to construct a political system that would control factions by not allowing them to take hold in the first place. With the duration of political positions short and the strength of political positions diluted among many individuals who must share in the power and responsibility, no one individual or group can place an anchor of faction to the detriment of the individual, group, or Nation. With the primary premise of this function, to set to blowing ashes the flames of passionate factions, to ensure that encroachments on liberties such as the freedom of religion and freedom to obtain and hold property [and grow wealth] through open economic means are thrust into a labyrinth of hurdles of checks and balances such that resulting legislation would result in no legislation or would transform the legislation into something that ensures the smallest minority is heard and protected from abusive controls.

Is life so dear or peace so sweet as to be purchased at the price of chains and slavery? Forbid it, Almighty God. I know not what course others may take, but as for me, give me liberty or give me death!

– Patrick Henry, Speech in the Virginia Convention, March 23, 1775

We now have completed the first chapter of the Federalist 2.0 and have discovered the primary principles and objectives of the founding fathers, or for the most part the “requirements” of a Nation focused on delivering Liberty. These principles of Freewill, Political Power, Conflict & Justice, Reason & Virtue and Faction & Insurrection are the basis of the United States Constitution created some 235 years ago. We as the founding fathers at that time focused on the need to integrate the thirteen colonies in hopes of protecting the fledgling nations. We had also hoped to establish internal governance that would guarantee the liberties of those citizens that dwell under its flag. But that guarantee rested on the American people's ability to remain a society grounded in the base of Virtue. Through this first chapter it is now clear that the current administration of the current manifestation of the Constitution has a focus on delivering results to the needs of the associated factions instead of delivering moderated governance to the Nation as a whole. The past 100 years of government lead big business initiatives and progressivism/statism efforts, all under the battling philosophies of idealism and materialism; have generated a unique business model that ensures that which is earned is given to those that have not earned while rewarding those who broker the exchange [the middlemen]. This business model, which primarily manifested from changes to the Constitution [e.g. allowing direct popular elections of US Senators] as well as the character of the nation [general acceptance that the government exists to take care of the citizenry], has enriched individuals and factions to the point that they are able to manipulate the general population to ensure their re-election under the false concepts of altruistic actions such as assisting the unfortunate or reversing the fortunes of the planet's resources. The slow progression of power has also grown over time as the Federal Government has taken overpowers to control the environment and the economy. This “sleight of hand” set of tricks have created a political class [the middlemen] that are entrenched within this dynamic political cycle. Where the lock on the wealth of the nation will finally be set with the passage of the legislative controls over health care and the control over industry with the passage of the cap and trade resulting in the flow of wealth from those that earn, through to the political class, as middlemen, where the political class skims a large portion off for themselves before administering the rest to a labyrinth of “worthy programs”. The remaining chapters of the Federalist 2.0 will focus on outlining the remaining concepts we explored in the original Federalist Papers such that we can once again led a path back to a Nation focused on Liberty and Freedom so that we do not hear the cry of the oppressed who WILL, in time, eventually claim “...give me liberty or give me death!”

We are fast approaching the stage of the ultimate inversion: the stage where the government is free to do anything it pleases, while the citizens may act only by permission; which is the stage of the darkest periods of human history, the stage of rule by brute force.

– Ayn Rand