

Can representation secure virtue essay sample



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The question “ can representation secure virtue” is ambiguous in the sense that ‘ representation’ has had different meanings, and furthermore that the word has had changed its meanings over time. As a result, I would take the meaning of ‘ representation’ during the time of the Federalist debate on ratification, which was after the American Revolution. This meaning again could be seen in terms of representative government which led to a republic. Representation is defined in the Oxford Concise Dictionary of Politics as “ The principle-agent conception (acting on behalf of) has a clear meaning when one person acts on behalf of one other.

The agent acts in the principal’s interests, with a degree of leeway that varies from case to case. ” Virtue, also, should be defined here, “ to be virtuous meant to possess the willingness to sacrifice private interests for the sake of the public good”. To understand whether representation can secure virtue, we have to understand the way in which representation plays a role in the American Constitution. Thus, we take representation here in relation to the republican theory.

The republican theory could be seen to contain a number a features that distinguishes it from democracy. Firstly, there is rule by (or on behalf of) the people, whose rulers’ or representatives’ powers are restricted by laws so as to protect the rights and liberties of the people. Thus, if a republican form of government was to “ survive and flourish, the people and their governors must have virtue, that is, they must exhibit the qualities of public-spiritness, self-sacrifice and devotion to the common good” 1 Representation is seen in the constitution on many differing levels.

It is the foundation of the republican system of government (this was used interchangeably by Madison with Representative government). There was representation on many differing levels of government, from state and local assemblies to Congress and Federal government. Here I will focus on representation in the federal government. The government is normally split up into three spheres, which is the legislature, executive and judiciary. The legislature can be split further into the Senate and House of Representatives.

In these three bodies of power and specifically in the Senate and House of Representatives, representation is taken place in different forms. It is these different types of representation, as Madison believed, to have secured virtue. It is not by the virtue of the official or office holder but through a system where individuals, factions, and government departments are competing against each other for power. "The policy of supplying by opposite and rival interests, the defect of better motives" where "ambition must be made to counteract ambition" 2.

He believed that when writing the new constitution, the citizens and public should be treated as 'knaves' and thus does not rely on them to regulate government. Madison believed that a republic, through representative government and by "extending the sphere" of the franchise, in an extended republic, would lead to a self-regulating government. He believed that this would happen because of two factors. Firstly, through competition of the factions and interest groups. As the larger the 'sphere', there would be a more diverse selection of representatives, representing a more diverse range of interests.

This diversity of interests would then not allow a tyranny of the majority because the same majority would not dominate many issues consistently. “The smaller the society, the fewer probably will be the distinct parties and interests composing it; the fewer the distinct parties and interests, the more frequently will a majority be found of the same party; and the smaller the number of individuals composing a majority, and the smaller the compass within which they are placed, the more easily they concert and execute their plans of oppression,” 3.

Secondly, by ‘extending the sphere’ there is a better faculty 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 their country, and whose patriotism and love of justice” 4 Thus, because of the ‘extended sphere’ there would be better and arguably more virtuous representatives that would be able to voice and reflect the interests of the citizens. As each representative will be chosen by a greater number of citizens, there will be less chance of an ill suited candidate that would represent the citizens.

Furthermore, the pool of talent would be bigger and thus there would be more choice of virtuous candidates. There also would be a greater ‘filtration’ of the candidates and the more noble and virtuous ones would be chosen. However, it could be argued that the extended form of representation would not secure virtue because once the representative has too large an electorate, the representative will be too “little acquainted with all their local circumstances and lesser interests” 5. Thus, he will be reduced to spending

time on matters of lesser importance than of national interests and importance.

Furthermore, it is believed that the representatives can be corrupted and turn inwardly into self-satisfying decisions and not for national interests. " On the other hand... Men of factious tempers, of local prejudices, or of sinister designs may by intrigue, by corruption or by other means, first obtain the suffrages, and then betray the interests of the people. " 6 Representation leads to professional politicians. There is a professionalisation of politics, thus this would lead to more specialised individuals that have a certain level of ability to make and take decisions.

In representation, there would be professional politicians thus it would mean that their source of income would have to be paid. As a result, these professional politicians are paid by taxpayers, or rather the citizens who have had elected them. This direct relationship strengthens the bond between the politicians and the citizens thus the politicians are in debt to his electors. Furthermore, as the politician is being paid an income, he would not have to worry about his livelihood and thus his interests.

As a result, he would be willing to sacrifice his private interests for the public good and secure virtue. Also, the representative would have no other interests, as he is not employed anywhere else, and thus be able to make unbiased decisions. " To be virtuous in this way, men had to be independent and free of occupations and petty interests of the market place. " 7

Representation was seen as an ideal that challenged the popular conception of political leadership. It set out to defeat the monarchical reliance on family

and kinship and open government to those who were not only the talented but virtuous.

Another interesting argument is that representation through elections make men virtuous, not through intrinsic virtue but through their own self-interest. Constant election makes the representatives conscious of the power of the citizens they represent. Thus, if they were not virtuous during their time in office, the citizens would vote them out of office. They are 'forced' to be virtuous if they want to be in power for a long time. Therefore, the representatives, although not intrinsically virtuous, act virtuously for their own self-interest.

Another interesting argument on whether representation secure virtue comes from Benjamin Constant in this lecture on 'The liberty of the ancients compared with that of the moderns'. Constant believed that ancient conceptions of democracy would be dangerous to be placed in a modern world. He saw that because of a number of mitigating reasons, the population would rather have representatives that would do their bidding and be able to enjoy their individual liberty than to be constantly involved in the running of government.

Thus the avocation of representation was seen as a substitution for direct democracy and it would allow a form of democracy (representative) to work in a modern state. The ancients, according to Constant, found their liberty in direct democracy and the liberty of the moderns is served by representative democracy. Thus, to understand this argument is to understand how virtue and liberty is linked. In this case, virtue is linked intrinsically to liberty

because liberty is morally good for society. Hence, representation allows for liberty (in a modern sense) to take place.

One of the more important issues that deals with whether representation can secure virtue is to do with the separation of powers. Viles “ propounds, between the pure theory of the separation of powers and the doctrine of checks and balances. In its ‘ pure’ and ‘ sterile’ form, the theory of the separation of powers state that: 1. The government should be divided into three branches performing legislative, executive and judicial functions; 2. Each branch should be confined to the exercise of its own function and not be allowed to encroach upon other functions of other branches; 3.

The persons who compose the three departments should be distinct, no individual be allowed to be at the same time a member of more than one branch” 8 The theory of the separation of powers prohibits any undue interference or influence of one of the functionally defined department over another. The imposition of the separation of powers in the constitution showed that the founding architects of the constitution were distrustful of human nature and the intrinsic virtue in men. Thus, they decided to opt for a system where the use of ambition was played off one another, which kept the varying interests of men in check.

The bill of rights is defined in the Oxford Concise Dictionary of Politics as “ A statement of the privileges, immunities, and authorities to act that may be legally and morally claimed by the citizens of a state within the bounds of reason, truth and the accepted standards of behaviour”. It was seen as one of the successes of the Anti-Federalist debate, which imposed a Bill of Rights

in the first 10 amendments after the ratification of the constitution. The imposition of the bill of rights showed that there were reservations of right against the fundamental system of the government.

Furthermore, the imposition of rights showed that there was a general mistrust in representative government and that it was necessary to have a 'higher law' to protect the rights and liberties of the citizens. This higher law, which was above any other power, had an explicit and extraordinary process to which it could be changed. To have such laws, let alone one, which ensures and guarantees liberty, asserts that representative government may have ulterior and non-virtuous intentions. Thus, it could be said that the bill of rights show that representative government could have non-virtuous elements in which the citizens need protection from.

In conclusion, I believe that representation can secure virtue. Representation in a conventional sense does not seem to secure virtue because of the intrinsic nature of men. The virtue of men, is very much a Hobbesian one, where the nature of men are always self-fulfilling and thus not virtuous. However, because of the system of representative government that is in place, a form of representative government with active checks and balances, where there are enshrined principles of separation of powers and the bill of right, I believe that representation can secure virtue.

Understandably, the argument that because there is a bill of rights that is imposed; it shows that virtue cannot be entrusted into men. However, it could be seen that a representative government through representation imposed the first 10 amendments of constitution. Furthermore,

professionalisation of politics compounded by the system of government could be seen to secure virtue. The system of government, with its checks and balances and enshrines laws and regulations can be seen to secure virtue.