

Example of civil rights and madison democracy essay

[Politics](#), [Civil Rights](#)



James Madison was the fourth President of the United States and one of the founding fathers of the nation. He wrote America's first constitution, the Articles of Confederation, as well as the Bill of Rights. Despite his many accomplishments, Madison is probably best known for his theories on democracy and democratic government, which has often been described as Madisonian Democracy. Madison was a strong believer in democracy and the right of a people to choose their leaders by a majority of votes.

However, Madison also understood that if limits were not put on what a majority could do with its power, an open democracy could quickly become a closed dictatorship. The reason for this, according to Madison, was the problem of factions. Madison defined factions as a group of people, "united and actuated by some common impulse of passion, or interest, adverse to the rights of other citizens, or to the permanent and aggregate interests of the community" (Federalist No. 10). Madison feared that if a faction were to gain power by majority vote, they would be tempted to "tyrannize the minority." Indeed, Madison thought that oppression of the minority by a majority faction was inevitable because humans by their very nature are prejudiced and self-interested.

As a result, Madison successfully argued that while democracy was the freest form of government, certain limits needed to be built into the system to degrade or eliminate the tyranny of the majority. First, Madison believed that the powers of the government should be separated across a wide range of institutions. This is what Madison referred to as "ambition against ambition" and we see it in the horizontal separation of powers of the federal government between the executive, legislative and judicial branches and the

vertical separation of powers between state and federal governments.

Second, Madison believed that each branch of government needed to have enough power and effectiveness to “ check and balance” the powers of the other branches; a way for each to stymie the others if needed while emphasizing cooperation when action needed to be taken. This is illustrated in the ability of Congress to make laws, the President to implement or veto laws and the Supreme Court to interpret laws. Third, Madison advocated for the establishment and protection of strong minority and individual rights as a way to counter majority rule. Madison believed that the majority would also agree to a system of minority rights because it was in their self-interest to do so since under the American system, every majority will eventually become a minority. Madison’s idea of minority rights is embodied in the Bill of Rights which, among other guarantees, ensures the right to vote (giving minorities the ability to change the majority rule through elections) as well as other important rights essential to making sure a majority rule does not become permanent such as the right to free speech, assembly and even the right to bear arms. Finally, Madison argued for a representative government where lawmakers rather than the people themselves would vote for the laws.

According to Madison, this would provide a filtering mechanism by keeping most government beyond the direct control of the raw and prejudiced thinking of the masses.

While the Civil Rights Movement encompassed a wide range of activities and institutions perhaps its most important accomplishments, from a Madisonian point of view, would be its success in ensuring the right to vote for all citizens. Indeed, by making sure that African Americans and other minorities

had the right to vote, the movement achieved a fundamental pillar of Madisonian theory, namely minority groups acting in cooperation with each other using the power elections: to put a check on majority rule; ensure that the rights guaranteed on the paper of the Constitution are implemented in fact and having equal opportunity to one day become the majority rule as well.

Moreover, desegregation provides a useful illustration of how Madisonian Democracy worked to bring success to that other great battle of the Civil Rights Movement. First, African American and other minority groups argued that the minority rights guaranteed them under the Constitution protecting them from white majority are enforceable and must be implemented. This campaign ran up against the popular feeling of the white majority, many of whom opposed the enactment of desegregation laws and barred their elected representatives from passing desegregation laws. Second, while federal and state executive and legislative branches either followed their constituents and supported keeping segregation laws or did nothing effective to integrate schools, the U. S. Supreme Court, used its “ check and balance” authority in the case *Brown v. Board of Education*, to interpret all segregationist laws as unconstitutional and thereby protecting rights of minorities to better participate in the educational process. Finally, when the Arkansas government refused to comply with the law, the President Eisenhower used his separate powers under federal law to order U. S. Army to enforce the desegregation laws in the state.

While Madisonian Democracy may not be the ideal form of government if the goal is a fast, smooth and non-contentious political process, from the point of

view of the Civil Rights movement it was nevertheless quite effective.

Indeed, it could be argued that without the separation of powers, checks and balances, protection of minority rights and filtering mechanisms of Madison's democracy, the Civil Rights movement might not have ever been able to gain traction and the plight of minorities might never have been able to move forward.

References

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