



2017

# The Madisonian Standard for Conceptualizing American Citizenship

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### Recommended Citation

Browning-Perry, Maddie E. (2017) "The Madisonian Standard for Conceptualizing American Citizenship," *Res Publica - Journal of Undergraduate Research*: Vol. 22  
Available at: <http://digitalcommons.iwu.edu/respublica/vol22/iss1/7>

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# The Madisonian Standard for Conceptualizing American Citizenship

## **Abstract**

American political development was fashioned by a social contract. More specifically, the American republic evolved through the Madisonian social contract, an agreement premised on James Madison's intention that deliberative citizenship would collaborate with decentralized government in order to advance the public good. This paper identifies the problem with the Madisonian contract today, that the relationship between citizens and government, or rather, Congress, is one that is infused with antagonism and a record high level of distrust. This present-day characterization of the broken relationship between citizens and Congress is symptomatic of a deteriorated Madisonian contract. Public opinion polls cast the illusion that a broken Congress is responsible for the deterioration of Madison's contract. However, through an assessment of polling data along with an examination of the exceptional nature of citizenship in America, this paper reasons that the dwindling of the Madisonian contract is due to a decline in thick deliberative citizenship. In addition to diagnosing the current state of Madison's contract, this paper compares remedies to cure the problem of a thinly engaged citizenry in the hope to rewrite the terms of the Madisonian contract within the contours of American political development.

## The Madisonian Standard for Conceptualizing American Citizenship

Maddie Browning-Perry

**Abstract:** *American political development was fashioned by a social contract. More specifically, the American republic evolved through the Madisonian social contract, an agreement premised on James Madison's intention that deliberative citizenship would collaborate with decentralized government in order to advance the public good. This paper identifies the problem with the Madisonian contract today, that the relationship between citizens and government, or rather, Congress, is one that is infused with antagonism and a record high level of distrust. This present-day characterization of the broken relationship between citizens and Congress is symptomatic of a deteriorated Madisonian contract. Public opinion polls cast the illusion that a broken Congress is responsible for the deterioration of Madison's contract. However, through an assessment of polling data along with an examination of the exceptional nature of citizenship in America, this paper reasons that the dwindling of the Madisonian contract is due to a decline in thick deliberative citizenship. In addition to diagnosing the current state of Madison's contract, this paper compares remedies to cure the problem of a thinly engaged citizenry in the hope to rewrite the terms of the Madisonian contract within the contours of American political development.*

### The Madisonian Contract

The contemporary American state is exceptional in that its institutions of government and the civic nature of its electorate developed through the apparatus of a social contract. The Framers of the Constitution, and specifically James Madison, favored a decentralized state structure that is premised on consent of the governed. This sentiment ultimately formed the foundation of the Madisonian social contract in the American republic. Madison's contract demands that citizens and the government meet certain criteria of good form in order to fully and legitimately engage in American political life. In 1806, John Stuart Mill established two broad criteria of representative government that support Madisonian principles. First, it is reasoned that officials should seek to improve the virtue and the intelligence of the people under their jurisdiction. Second, Mill argues that officeholders should promote the deliberative qualities of the people in order to advance the common good (Mill 226, 227). With regard to the good form

exercised by citizens, Madison's contract requires a strong civil society to fill the gaps in America's decentralized government. As the Madisonian contract evolved with American political development, Dahl (2006) reasons that republicanism began to grow into a larger participatory system through the roots of the people. Holistically, the enlargement of the republic to include more people would layer the deliberative selection of officeholders. Those who were chosen as representatives were to be the wisest and most just members in society, furthermore, it was assumed that their patriotism would be the least likely to sacrifice the public good. As the Madisonian contract continued to evolve, deliberative grassroots participation became the key to establishing a strong civil society that worked in accordance with officeholders to advance the public good.

### **A Disruption in the Madisonian Contract- Today**

Today the relationship between the American people and the government is exceptional in that it is connected with disapproval of the way government handles its job and this is exceptionally bad for the terms of Madison's contract. Interestingly enough, Congress, the branch that Madison (1787) would reason is the epitome of good republican principles, is viewed as the broken branch by the American people according to Mann and Ornstein (2006). Even in times when members of Congress collaborate effectively to create legislation and the legislature does uphold its constitutional responsibilities, the public fails to recognize this effort. The public's displeasure with the overall congressional job according to Gallup public opinion polling data has been persistently low since 1974, with an average approval rating of 33 percent. Furthermore, in 2013 this displeasure of the congressional job was equally rampant across political groups, with Republican approval at 9 percent, Independent approval at 8 percent, and

Democrat approval at 10 percent (Newport 2013). The poll data exposes the contemporary problem regarding civic duty in the political arena. That is, people do not seem to want to participate in the arena, and if they do participate it is a result of distrusting the processes of government. This deep-seated disapproval is corrosive to the terms of the Madisonian contract. In order for the republic to operate as it should, the citizens and the government must maintain a degree of trust to uphold the criteria of good form in order to work together.

Many scholars have explored the source of disruption in Madison's contract, and posit the traditional assumption that Congress has degenerated. Magleby and Patterson (1994) argue that people have a deep-seated aversion to the legislative process. Furthermore, they reason that one component of the public's generally negative impression of Congress involves perceived corruption within the institution. Similarly, Mann and Ornstein (2006) argue that much of the "damage" within Congress is due to "the social and political environment rooted in partisanship" caused by external factors that exacerbate internal inefficiencies within the chamber itself (Mann, Ornstein, 224). Another argument posed by John R. Hibbing and Elizabeth Theiss-Morse (1995) reasons that negativity is generated by popular perceptions with regard to the visible process of the legislature (Hibbing, Morse, 150). In other words, they reason that Congress has developed internal inefficiencies that are visible to people, and recognizing these inefficiencies is the source of rightful disapproval of the legislature.

Since its founding, the actual institution of Congress has not undergone large structural changes that would hinder its job or its purpose. Congress is responsible for creating legislation that advances the public good, which it can only accomplish through the legislative process. The legislative job has always maintained the slow, sometimes frustrating, deliberative qualities demanded by republicanism. Furthermore, this process has always been visible to the American

people. In fact, these qualities of deliberation and transparency are a source of republican legitimacy. It is a direct contradiction that people claim the congressional job lacks legitimacy, yet they fail to recognize the legitimate qualities of the legislature, established by the Madisonian contract that are right in front of them. It is reasoned in this paper that Congress, or rather government, is not the body responsible for the corrosion of the Madisonian contract.

James Stimson (2004) has studied the long-term trends in public opinion. He reasons that “like waves, public opinion moves up and down... these movements also occur with larger movements, the tides” (Stimson, 3). Stimson equates the tide-like behavior to public opinion and furthermore he reasons that this behavior is influenced by national events such as the September 11th terror attacks, scandal in government, and economic factors. In his analysis of several governors’ approval ratings through time, he finds that every governor enjoyed a higher approval rating post-September 11th. He conducted this same analysis, but instead examined positive economic times and political scandals. Through each study, Stimson found that public opinion is extremely subjective. In fact, it was found that people responded to their own endogenous perception of an event as well as the external event itself. Furthermore, his study indicated that even in times when external factors were held constant, public opinion fluctuated tremendously and has become somewhat untamed. The untamed behavior of subjective public opinion is an indication that people lack the capacity to objectively judge political situations and events. If this is the case, then it is entirely plausible that citizens are incapable of objectively judging the way the government handles its job and thus, it stands to be reasoned that it is American citizens who are responsible for the disruption in the Madisonian contract.

### **The Exceptional Nature of American Citizenship Supposed by Madison**

In order for republicanism to work properly, both sides of the Madisonian contract must be upheld. Specifically, citizens must display active participation paired with reason, which are two components of thick citizenship required by the Madisonian contract. With regard to action, citizens are bound to practice legal obedience and should strive to be active participants entrenched in political affairs. With regard to reason, citizens should achieve an advanced level of political education, which will enable them to develop the capacity to form good judgments and allow them to be competent participants in political life. Thick citizenship was intended by Madison to be deliberative in nature and to be at the very heart of the American republic.

In the past, the American citizenry successfully filled the gaps inherent in decentralized government through membership in voluntary associations. As Theda Skocpol (2003) points out, American political life became thick with civil society groups from the 1820s to the 1960s, which were “bound by strong families and tight knit neighborhoods” (Skocpol, 21). Furthermore, these human-scale associations allowed Americans to achieve a sense of belonging and civic responsibility. By 1840, Madison’s republican model included the community groups and organizations that characterize thick citizenship. The mid-nineteenth through the mid-twentieth century marked the height of voluntarism in the American republic. Citizens were members of independent women’s associations, fraternal societies, and trade associations. There were many social opportunities available to members of these voluntary associations, but more importantly “their roles as organized voices for citizens, their political activities” as Skocpol reasons, formed the backbone of strong civil society (Skocpol, 70). Many of these voluntary associations “pressed for public social programs” and advocated for local, state, and national public social policies to benefit their members. In fact, voluntary membership associations helped to lead

national efforts and motivated social welfare programs from the Civil War era through WWII (Skocpol, 71).

The importance of voluntary membership associations in American political development is monumental because voluntary associations acted as mediums to promote civic deliberation. Voluntary groups extended membership inclusion to outsiders, similarly to the way Madison expanded the republic to become a larger participatory system. Prior to inclusion in one of these voluntary associations, people participate in social and political life very thinly. David Ricci (2004) reasons that this status characterizes *Citizenship I*, the thinnest, most basic type of citizenship. *Citizenship I* recognizes that individuals are merely members of American society. At the height of voluntarism, thousands of people became members of these voluntary groups, which acted as civic incubators to develop people into citizens. As Ricci (2004) reasons, *Citizenship II*, qualifies citizens as members in society and also tasks them with the duty to participate in political affairs by way of voting, running for office, etc. An even thicker type of citizenship, *Citizenship III*, encompasses membership, political participation, and virtuous action on the part of the citizen to defend the public good (Ricci, 25). Voluntary associations developed a person's capacity to reason, motivated membership action, and presented members with the opportunity to exercise these two tools, which in turn developed people into thick citizens of the *Citizenship II* and *Citizenship III* variety.

### **The Fork in the Road**

Volunteer associations were informational mediums that facilitated the exchange of ideas through deliberation, an activity that promoted the development of other civic requisites and grounded individual opinion. Through the variety of associational mediums, people accessed an

abundance of information gleaned from members and resources of the group. Furthermore, these mediums afforded people a public space to exercise their thick citizenship and develop participation into virtuous action. In other words, people practiced the rights of *Citizenship II* to secure the goals of *Citizenship III*. Citizens lived well through the habitual practice and procurement of reason and good civic virtue. Living well then prompted citizens to direct individual reason and civic virtue to advance the public good.

According to Ricci (2004), the latter half of the post WWII era marked a time of increased economic productivity in the United States. Productivity “justified the wage hikes and made it possible for workers to have steady incomes working fewer hours as time passed” (Ricci, 165). As a direct result, the rise of consumerism changed the material standard of American life, as it changed the priorities that constituted public life (Ricci, 65). Americans began to pursue materialistic affluence as an acceptable form of living well. People, officeholders, and businessmen alike were persuaded to submit to new requirements of public life. These newly established habits replaced many old living habits that constituted thick citizenry engagement and shifted people away from active political participation to more capitalistic activities. This shift in the routine of public life led to the fall of many volunteer associations, which afforded people the civic requisites of thick citizenship.

As Robert Putnam in *Bowling Alone* reasons, the social bonds that united American public life have been broken, “the frequent interaction among a diverse group of informed citizens which produced the norm of reciprocity” between citizens and the government is now absent (Putnam 2000). The thick citizenry that once existed in towns, neighborhoods, and bowling teams alike has devolved into *Citizenry I*, a group that participates thinly in American political life. People of *Citizenry I* are content to bowl alone and feel no civic responsibility to

Madison's republic, or to their fellow American. Members of America's thin citizenry prefer to be less involved in civic affairs, in favor of a republic that operates on autopilot, where people only occasionally participate. The mediums that once grounded civic duty and informed opinion are now absent, which means that the trusted arena to practice political cognizance is now absent. Given the absence of a reliable medium and the shifting obligations of citizens in society, the Madisonian contract has been forced to operate through the vestiges of thin citizenship.

### **T. H Marshall: Revitalizing America's Thin Citizenry**

The fundamental component of strong civil society that characterized American exceptionalism has dwindled. How will the contemporary American republic restore the thick citizenry that it has lost? Any type of restoration effort performed should follow the contours of American political development. The American republic is one model of citizenship that is built on the foundation of strong civil society, while simultaneously it works to defeat majority tyranny. There are other models of strong citizenship that can be examined in order to inform a possible solution for the American republic. The European model of good citizenship that is built on the foundation of defeating class conflict could potentially offer a compelling solution.

T.H Marshall (1992) explored the roots of citizenship in Western Europe and found that, unsurprisingly, good citizenship is established through holistic membership in society. Analogous to Ricci's three types of citizenship in the American republic, Marshall equates citizenship in Western Europe to three distinct categories, the civil, political, and social apparatuses of membership. Western European political development through the eighteenth, nineteenth, and twentieth centuries marked the independent development of each of these three elements of citizenship. Each time period established, not merely which citizenship rights were

recognized by society in principle, but to what extent the rights recognized in principle could also be enjoyed by citizens in practice.

In early Western European society, Marshall argues that feudalism structured the norms and habits of people based on class status, this order “then hardened into a European custom” (Marshall, 20). All people did not possess the rights of citizenship through membership. Rather, rights were designated to different social classes in society and a citizen’s class status determined which type of rights that citizen could enjoy. There is implicit inequality of membership in each class and therefore people could not be good citizens until they achieved membership in the middle to high-class status.

In the eighteenth century, Marshall designates European citizenship to encompass the civil element. Civil citizenship developed and it was “composed of the rights necessary for individual freedom-liberty of the person, freedom of speech, thought and faith, the right to own property and to conclude valid contracts, and the right to justice” (Marshall, 8). At the end of the eighteenth century it was recognized that citizens had the right to due process of the law and the institutions of government most associated with this civil element are the courts of justice. In the nineteenth century, the political element of European citizenship developed. Marshall reasons that the political element is “the right to participate in the exercise of political power, as a member of a body invested with political authority or as an elector of the members of such a body” (Marshall, 8). By the end of the nineteenth century, people had the right to vote and to exercise political power. The government institutions most associated with the political element are the parliament and the councils of local government. The social element of citizenship was not included in European citizenship until the twentieth century. By the social element Marshall means, “the whole range from the right to a modicum of economic welfare and security to the

right to share to the full social heritage and to live the life of a civilised being according to the standards prevailing in society” (Marshall, 8). The institutions most associated with the social right are connected to the education system and the social services system.

When Marshall assigned the formative periods of the three elements of citizenship, each to a separate century—civil rights to the eighteenth, political to the nineteenth and social to the twentieth—he did so while stipulating that in Europe there was no uniform collection of rights and duties which all “men—noble and common, free and serf—were endowed by virtue of their membership in society” (Marshall, 8). In the eighteenth and nineteenth centuries, people may have possessed civil and political rights, but those rights were curtailed “by class prejudice and lack of opportunity” (Marshall, 27). It wasn’t until a social revolution occurred in the twentieth century that the “monopoly of the social rights of the few were brought progressively within the reach of the many,” which made class mobility possible and presented people with the tools to exercise their civic and political citizenship rights (Marshall, 27). The European social revolution incorporated social rights into citizenship status and from this incorporation the universal social right to equal employment opportunity, compulsory education, adequate housing, and various welfare programs became part of the European societal fabric. In the European model of citizenship, social programs are the prerequisites to thick citizenship, as this model is built on class interest and overcoming the inequality that it presents. Once citizens’ social needs were taken care of they could better focus time and energy into being active members in political life.

Western European citizenship was hindered by the lack of social rights afforded to citizens until the twentieth century. In the American republic today, citizenship is hindered by the fact that people are overburdened with social responsibility. The rise of consumerism in the latter half of the post WWII era paired with the subsequent dismantling of voluntarism led to the

fall of strong civil society groups that in the past pioneered social welfare movements. Organized voluntary groups once carried the weight of social responsibility to implement public policies. Today, as Marshall would argue, Americans maintain their civic and political duties. However, in addition to these duties, they are also tasked with the responsibility of maintaining various individual social welfare necessities that were once the collective responsibility of voluntary associations. Furthermore, Marshall would reason that the stress of maintaining individual social status required for membership in the American republic leaves no room or opportunity for people to develop thick citizenship. Marshall would propose that, in order to revitalize the thin American citizenry and grow civil society, citizens must be freed from the obligation of maintaining the social status required for membership in the thick citizenry.

### **Repairing the Madisonian Contract**

Marshall's remedy to fix the contemporary American republic originates under his presupposition that citizenship in the United States is premised on the same conditions of class-consciousness as found in Europe. Inherent in Marshall's solution is the notion that in order to develop thick citizenship in America citizens must overcome oppression through a social revolution to escape membership inequality. However, as Louis Hartz (1991) reasons, "America was settled by men who fled the feudal oppression of the old world" and therefore, feudalism "did not flower" in the American republic as it did in Europe (Hartz, 7). Feudalism was entirely absent in the history of American political development, in its place was the liberal spirit supplemented with "social fluidity, fortified by the material setting of the new world" (Hartz, 18). It is because American citizens "were born equal," as Alexis de Tocqueville (1991) noted, that they were already afforded class equality in society and did not need to "endure a revolution in

order to become [equal]” as they would have under a feudal structure (Hartz, 5). In America, thin citizenship is a characteristic not exclusively pertaining to members of “a frustrated lower class,” thin citizenship is also a characteristic of a “frustrated aristocracy” (Hartz, 8). That is to say, many Americans practice thin citizenship across all social classes regardless of a citizen’s degree of social welfare responsibility. Thin citizenship has become a norm across American society. Therefore, developing thick citizenship and growing civil society will not be accomplished by relieving people of their social responsibilities.

The thin engagement of the American citizenry is largely due the fact that American political life does not demand today what theory required in the past, deliberative citizenship. As Michael Carpini and Scott Keeter (1996) reason, citizens are under the impression that “the political system can operate effectively without a great deal of public input” (Carpini, Keeter, 4). Furthermore, there are “thin expectations of civil responsibility” despite Madison assuming thick engagement (Carpini, Keeter, 4). In order to develop thick citizens and grow a strong civil society, the American republic needs engaged catalysts, the remaining individuals who constitute *Citizenry II* and *Citizenry III* in society, to facilitate deliberative citizenship.

The remaining thick citizenry, those who retain a commitment to the Madisonian contract, are those suited to be effective opinion leaders and must rewrite the terms of the Madisonian contract. These leaders are tasked with the duty to make the formal demands of the thin American citizenry that political life today does not. The thick citizenry must lead by example and demand that *Citizenry I* develops an intellectual capacity to “engage in politics that is personally and collectively constructive,” while also motivating political participation (Carpini, Keeter, 5). These opinion leaders ought to educate their peers and facilitate a new public arena that acts as an incubator of thick citizenship through “the cultivation of civil

intellect” and the exchange of informed opinion (Mill, 5). In order to mend one side of the broken Madisonian contract, a thick citizenry must be reestablished in the American republic. Given that the American citizenship model is rooted in public interest, it is essential that emerging opinion leaders are the very same engaged catalysts that defend the public interest. These citizens will embody the new mechanism of social change and will establish an evolved civil society “that can work hand in hand [with the government] to fashion and sustain” a new Madisonian contract (Ricci, 71).

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