

# FIRST PRINCIPLES

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## The Rise and Fall of Political Parties in America

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### Abstract

*Political parties are not mentioned in the U.S. Constitution. Nevertheless, America's founders understood that the republic they were founding requires parties as a means for keeping government accountable to the people. Throughout America's history, the power of political parties has risen and fallen, reaching their nadir in the last few decades. Americans today attribute to parties the very maladies from which great parties would save us if only we would restore them. Great political parties of the past put party principles above candidate personalities and institutionalized resources to maintain coalitions based on principle. They moderated politics and provided opportunities for leadership in Congress instead of shifting all power to the executive, enabling the republic to enjoy the benefits of checks and balances while avoiding excessive gridlock. Parties also encouraged elected officials to put the national interest ahead of narrow special interests.*

If there is one thing about politics that unites Americans these days, it is their contempt for political parties and partisanship. More Americans today identify as independents than with either of the two major political parties. Citizens boast that they “vote for the person, not for the party,” and denounce fellow citizens or representatives who blindly toe the party line. Party leaders in Congress are held in disrepute, criticized by one side for being too soft and condemned by the other for being too partisan. Insurgent, outsider candidates are increasingly successful against those who are

perceived as “the establishment.” Americans are bipartisan in their condemnation of partisanship.

Americans have always viewed political parties with skepticism. The Constitution does not mention parties and did not seem to anticipate their emergence. In spite of this, however, parties play an essential role in our republican form of government and have done so throughout American history. Our contemporary contempt for parties is the product of three distinct periods in our history that have brought them to where they are today.

In the first period, during the first decades after the founding, influential statesmen such as James Madison laid the groundwork for strong parties as an antidote to the factionalism and gridlock to which our constitutional system is susceptible. In the second period, throughout the 19th century, parties were strengthened, and their positive features were openly praised. Parties were dramatically weakened, however, in the past century, and this has coincided with profound cynicism about the state of our political system today.

This paper, in its entirety, can be found at <http://report.heritage.org/fp70>

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The history of political parties reveals that they are the critical mediating institutions that make the American Constitution function well. They translate majority will into public policy by focusing elections on policies rather than personalities. They moderate politics by encouraging elected officials to bargain and compromise instead of engaging in endless conflict. They reinforce the separation of powers by strengthening the legislative branch and checking the accumulation of power in the executive. The brief period in American history in which parties did not exist, known as the “Era of Good Feelings,” was in fact a disastrous period of party infighting based on personal and geographic allegiances rather than a time of political peace and moderation.

As political parties rose to prominence in America throughout the 19th century, they served their purposes relatively well. Over the past century, however, they have been hollowed out and weakened. As a result, we have replaced the politics of party conflict with the executive-centered, administrative state. The renewal of self-government in the 21st century will require the concomitant renewal of our political parties.

### **What Is a Political Party?**

In order to understand the role and purpose of political parties in our constitutional system, we must first define and understand the different elements of party organization. It is helpful to begin with Edmund Burke’s definition: “Party is a body of men united, for promoting by their joint endeavors the national interest, upon some particular principle in which they are all agreed.”<sup>1</sup> While specific parties throughout history have been merely composed of various interest groups, parties in their ideal form should be united on a set of principles rather than alliances of mere convenience. Alliances based on political convenience lack the loyalty, permanence, and cohesion that define parties properly understood.

Burke’s definition is a good starting point, but it needs to be supplemented to apply to the American context. Most important, Burke’s definition tells us nothing about *how* a party functions: what it does to advance its principles in the political system. We must specify what parties *do* as well as what they *are*.

Parties are composed of a variety of different parts, none of which has an exclusive right to declare itself to be the party. The Republican Party today, for example, is composed of millions of voters who call themselves Republicans. In a sense, then, a party is a collection of voters who tend to support a common set of candidates for office. Some of these loyal partisan voters may also be donors to political parties. But a party is also composed of candidates for office and officials who were elected or appointed in some manner through their affiliation with the party. Thus, a party is also a collection of elected and appointed officials who become representatives as a result of their common affiliation. In addition to this, a party is composed of party officials, such as those who work for the Republican National Committee or the various state party organizations, who do not hold office but work within the party organization itself.

It is critical to differentiate these three parts of American political parties: the loyal voters and supporters, the candidates and elected officials, and the party organization itself. All three of them together compose the party, but none of them speaks exclusively for the party.

What about what parties *do*? We often think of parties as focused exclusively on elections, overlooking the significant role they play after an election occurs. After an election, members of parties in the government form caucuses and work together to pass and implement laws that advance their agreed-upon policy agenda.

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In other words, parties do not merely nominate candidates and support them in campaigning for

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1. Edmund Burke, *Thoughts on the Cause of the Present Discontents* (London: J. Dodsley, 1770), p. 110.

office. They also work together to enact and carry out policies. In short, they help to campaign as well as to govern. Political parties, in the American context, are organizations composed of voters, party officials, candidates, and elected officials. A strong party will be united on general principles and will advance these principles by articulating a clear party platform, nominating candidates, supporting those candidates for election, and working together to pass policies that advance its members' shared principles.

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### **Grappling with the “Baneful Effects” of Parties**

It is generally believed that the American Founders hated political parties and were deeply hostile to them. The reality is much more complicated. While all of them were skeptical of political parties at some point in their careers, most of them, through experience, came to realize their usefulness.

Before the writing and ratification of the Constitution, most of the Founders were distrustful of parties. The reason for this was simple: Their views on parties were shaped by their experience under British government and their study of ancient history. In both cases, parties represented specific classes of people or elements of a mixed regime. British parties, for instance, were dedicated not to the common good of the whole society, but to the advancement of a specific class interest. The Whigs and the Tories advanced the interests of the Parliament versus those of the Crown. Because they were vehicles for the fundamental conflict between the people and the monarchy, they incited violence and discord.

Now that government had been founded on a popular basis, many Founders believed that the perennial battles between the many and the few would not exist in America. While they knew that there would be disagreement and conflict, they did not think that

permanent parties aligned with particular classes would be needed to engage in the kinds of conflicts that would occur in their popular form of government.

Experience, however, quickly proved them wrong. The Constitution did not create a mixed regime, so parties pitting the aristocracy against the people were not formed, but in the 1790s, parties did emerge: the Federalists and the “Democratic-Republicans.”<sup>2</sup> The Framers soon understood that conflicts would continue to divide people into different parties, even in popular forms of government, because there would still be differences of opinion about the best way to promote the common good. Some of them still warned about excessive partisanship.

George Washington, for instance, pleaded with Americans in his Farewell Address to resist partisan conflict, warning “in the most solemn manner against the baneful effects of the Spirit of Party.” He granted that “[t]his Spirit, unfortunately, is inseparable from our nature” because human beings will inevitably disagree about political issues. Excessive partisanship, however, “serves always to distract the Public Councils and enfeeble the Public Administration. It agitates the Community with ill founded Jealousies and false alarms, kindles the animosity of one part against another, foment occasionally riot & insurrection.” Finally, it “opens the door to foreign influence & corruption, which find a facilitated access to the government itself through the channels of party passions,” subjecting “the policy and the will of one country...to the policy and will of another.”

In short, Washington accepted the inevitability of party conflict, but he also wanted to suppress it as much as possible. “A fire not to be quenched,” he concluded, “it demands a uniform vigilance to prevent its bursting into a flame, lest instead of warming it should consume.”<sup>3</sup> Washington wanted to suppress party conflict as much as possible because it threatened the unity of the people, a unity that Washington saw as essential for good government. Unity in the people ensured that government would work most effectively, because it would not be distracted from substantive issues by personal conflicts, which Washington believed would follow from partisan

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2. The term “Democratic-Republicans” is anachronistic. All of the major figures of this party—James Madison, Thomas Jefferson, and so forth—called themselves “Republicans.” Presumably, most historians today call this the “Democratic-Republican” Party because it eventually morphed into the Democratic Party in the late 1830s. Because the use of the term is prevalent today, however, I use it in this essay.

3. “Washington’s Farewell Address,” September 19, 1796, in *The Papers of George Washington*, Presidential Series [1788-1797], University of Virginia, [http://gwpapers.virginia.edu/documents\\_gw/farewell/transcript.html](http://gwpapers.virginia.edu/documents_gw/farewell/transcript.html) (accessed September 6, 2018).

conflicts. Public administration would operate efficiently without organized opposition to the government, and opportunities for violent resistance to the government would be reduced.

Washington's words are often quoted as evidence that all of the Founders were deeply opposed to political parties, but even Washington accepted the inevitability of political parties. He simply exhorted Americans to avoid blind partisanship or allow party attachment to lead to distraction, jealousy, and insurrection. In other words, Washington believed that parties could not be eradicated, but that they should be moderated.

### **The Madisonian Cure for the Madisonian Disease**

Another Founder, James Madison, came to see parties much more positively than Washington did. Although he did not arrive at this position until years after the Constitution was ratified, Madison eventually came to see parties as an important component of a flourishing republic. His eventual embrace of the positive role for political parties showed that, in spite of the potential threat that parties presented to popular government, they played an essential, positive role in the American constitutional system.

Largely due to James Madison's vision, the American Constitution's approach to representation and the division of powers is unique among Western democracies. As Madison's essays in *The Federalist* indicate, fragmentation of power and fear of majority tyranny are fundamental to how the Constitution was designed. In his most famous essay, *Federalist* No. 10, Madison explained that a chief benefit of the Constitution was its ability to "break and control the violence of faction." The problem of faction, Madison believed, was the most significant obstacle to establishing popular government on a firm foundation.

Madison defined faction as "a number of citizens, whether amounting to a majority or minority of the whole, who are united and actuated by some common impulse of passion, or of interest, adverse to the rights of other citizens, or to the permanent and aggregate interests of the community." Madison's definition of faction looks similar to what we call "interest groups" today, since they are united by a specific interest or passion rather than by a general set of principles about government. They are narrower in their focus than parties, advancing special interests rather than the common good.

Factions are always a threat to popular government, but they are able to impose their will on others only if they have a majority. It was a majority faction, or majority tyranny, that Madison feared most. The solution to that threat, as explained in *Federalist* No. 10, was to extend the territory of the Union to incorporate so many interests that a single interest would be unable to dominate the others. The system would still be popular, thus not violating the republican principle, but would also be inoculated from the threat of majority tyranny:

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 will they concert and execute their plans of oppression.

While Madison used the terms "parties" and "interests" interchangeably in this essay, he was actually pointing to an important difference between factions and parties properly understood. In this essay, Madison was still thinking of "parties" as local groups attempting to advance their narrow interests. Once we understand Madison this way, these sentences form a logical chain. Smaller societies are composed of fewer interests; fewer interests allow one party to seize the majority more easily; and the smaller the majority, the more easily it coordinates and executes its potentially nefarious plans.

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Madison's solution was to reverse the logical chain:

Extend the sphere, and you take in a greater variety of parties and interests; you make it less probable that a majority of the whole will have a common motive to invade the rights of other citizens; or if such a common motive exists, it will be more difficult for all who feel it to discover their own strength, and to act in unison with each other.<sup>4</sup>

Madison's remedy for faction, to put it crudely, was to fragment power so that majorities could not emerge easily. By preventing interests from coordinating their activities and acting in unison, and by bringing in so many competing interests that no majority faction could form, we could break the violence of interest-based politics. Both Washington and Madison agreed that partisan conflict was inevitable in a popular form of government, but Madison had come to understand that the remedy for factional politics was to require narrow interests to consolidate into broader coalitions that would suppress factions, forcing them to advance general principles rather than specific interests.

Of course, it would be possible for these coalitions to serve merely as collections of interest groups, each agreeing to help the others advance their agendas, but it would be much more difficult for them to unite and coordinate their activities in an extended republic with many checks and balances.

In political science terms, Madison's system is designed to prevent collective action. It does so in a variety of ways, not all of which were deliberately designed.

- By providing for the election of representatives who are from different districts, represent different constituencies, and are held accountable to those constituencies, the American Constitution encourages officials to work for competing ends and purposes. This is in contrast to national, proportional representation systems in which all officials represent one interest: that of the whole nation.
- By separating powers into different branches and giving them checks on each other, the American

Constitution encourages representatives to work against each other, preventing them from acting in common toward a single goal. This is in contrast to parliamentary systems in which the prime minister is chosen by the legislature and therefore works with, not against, the legislature.

As Madison famously explained, the extended republic offered “a republican remedy for the diseases most incident to republican government.”<sup>5</sup> The system would still be republican because the people would hold elections to vote for their representatives, but it would avoid the republican disease of majority tyranny by fragmenting power and ensuring that majorities would emerge only slowly and with difficulty. In this system, coalition-building would be arduous work.

This system included obvious benefits, but it also included obvious drawbacks. While our system of fragmented power helps to ensure that policies are enacted slowly, after ample time for deliberation and after a clear and stable majority has emerged, it also produces a government that is slow to respond and that represents many different geographic interests and views rather than the interest of the nation as a whole. No legislator is elected by the entire nation, and it takes many elections involving the House, the Senate, and the presidency to produce a majority capable of enacting major policy changes.

In other words, to prevent majority tyranny and consolidated power, the American Constitution sacrifices a degree of responsiveness and attention to the interest of the nation as a whole. Madison thought he had found the “republican remedy” for the republican disease, but that remedy had side effects. It had produced a “Madisonian disease”: fragmented and gridlocked power.

After the Constitution was ratified and James Madison was elected to the House of Representatives, he came face-to-face with the disadvantages of this fragmented system. Madison realized in the 1790s that the Constitution had set up such effective checks against majority tyranny that a well-organized minority might be able to rule in the absence of an organized majority coalition. In a surprising

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4. *The Federalist* No. 10, November 22, 1787, National Archives, *Founders Online*, <https://founders.archives.gov/documents/Madison/01-10-02-0178> (accessed September 6, 2018).

5. *Ibid.*

shift, Madison refined his views in *The Federalist* in a series of writings in the early 1790s. It was only at this time, after the Constitution's ratification, that Madison realized that political parties *rightly understood* actually supplied the antidote to faction rather than fueling them.

Madison came to see political parties as the Madisonian cure for the Madisonian disease. In a series of popular newspaper articles, he made the case for parties as a necessary part of majority rule. In late 1791, right around the time Alexander Hamilton's proposal for a national bank was making its way through Congress, Madison sounded the alarm in an article titled "Consolidation." He believed that Hamilton was attempting to consolidate power in the national government and that he was able to do so by taking advantage of the inability of citizens to organize an opposition. As he put it, the citizens' "impossibility of acting together" was leaving the government "to that *self directed course*, which, it must be owned, is the natural propensity of every government."<sup>6</sup>

Within a few years of writing *Federalist* No. 10, Madison had shifted his focus from the fear of majority tyranny to the difficulty of organizing the majority in the first place. Without a majority capable of acting collectively, he now believed, the government would fly out of its proper orbit, no longer following the people but rather following its own interest. What was needed, he argued, was a mechanism for mobilizing popular will and exerting its influence over the government. Madison hoped that "a consolidation should prevail in their interests and affections." Now he called upon the people to "employ their utmost zeal, by eradicating local prejudices and mistaken rivalships," instead of letting those local prejudices and rivalries serve as the basis of factional conflict.<sup>7</sup>

Although he had equated parties and factions to some extent in *Federalist* No. 10, Madison now saw parties as a healthy component of republican government and, indeed, an antidote to faction. Parties could help the people to coordinate their activities and make sure that they would be able to break through the gridlock and fragmentation of the political system. Madison therefore envisioned two types of "Consolidation," one dangerous but the other necessary. To counteract the potential for governmental

consolidation, Madison proposed a consolidation of the people under the banner of a political party.

Rather than being a rejection of his analysis in *Federalist* No. 10, this was a further development of the logic of that essay. If majority factions were weakened by expanding the size of the government and expanding the number of factions so that they checked and balanced each other, parties would be the mechanism by which factions would be subordinated. To be effective, parties would have to build coalitions with a large number of people, including a variety of potential factions within them. In the process of joining a party, each faction would have to accept that it cannot call the shots, because it would be too small to do so. Parties would take the bite out of factions by incorporating them into broader movements.

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## Madison ultimately understood that parties were the necessary components of a properly functioning republic, not institutions that subvert republican government.

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As a member of the House of Representatives, Madison took upon himself the role of party leader. He proved to be an adept coalition-builder and blocked (albeit temporarily) many of Hamilton's financial plans in the 1790s.

Madison's thoughts in the early 1790s represent a serious reconsideration of the republican remedy he devised for the diseases of republicanism in *Federalist* No. 10. There was now a Madisonian disease that required a Madisonian remedy. The Madisonian remedy for the problem of collective action would be found in party leadership that would encourage representatives to suppress their minor differences of opinion so that they could act collectively on the issues that were fundamental. In short, Madison ultimately understood that parties were the necessary components of a properly functioning republic, not institutions that subvert republican government.

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6. James Madison, "Consolidation," *National Gazette*, December 3, 1791, National Archives, *Founders Online*, <https://founders.archives.gov/documents/Madison/01-14-02-0122> (accessed September 5, 2018). Emphasis in original.

7. *Ibid.*

## The Rise of Parties and the Flourishing of Republican Government

While Madison was the first to outline a positive theory for parties in republican government, he stumbled upon this conclusion only gradually. Statesmen of the 19th century were the first to make the positive case for parties in explicit terms. Chief among them was Martin Van Buren, the eighth President of the United States (1837–1841).

Like Madison, Van Buren came to understand parties as a positive good through experience. He examined the position of James Monroe, Madison's successor as President of the United States, on parties and found it disastrous. Monroe took the Washingtonian position that parties were not essential in a popular form of government. When he emerged as the leader of the Jeffersonian party after becoming President in 1817, the Federalist opposition party had essentially been eliminated, making the 1810s and 1820s the so-called Era of Good Feelings when everyone was apparently united under a single party banner.

Monroe embraced and fostered what he called the “amalgamation” of the two parties into one. He was first elected President in 1816 to serve as Madison's successor. In December of that year, before taking office but after the election, he wrote to Andrew Jackson: “Many men, very distinguished for their talents, are of opinion that...free Government cannot exist without parties. This is not my opinion.” While parties had existed in popular governments throughout history, “I think that the cause of these divisions, is to be found in certain defects of those Governments, rather than in human nature; and that we have happily avoided those defects in our system.”

Monroe was likely referring to the fact that the American Constitution did not create divisions between the people and the nobles, but instead established a government that was wholly popular.<sup>8</sup> This type of government, Monroe implied, would not be susceptible to party conflict. Thus,

he announced to Jackson his goal to “exterminate all party divisions in our country, and give new strength and stability to our Govt.”<sup>9</sup> He aimed to do this by nominating people to his Administration from all parties. This would deprive the opposition Federalists of their rationale for existence, since their politics would already have been integrated into the one remaining party. By governing moderately, Monroe believed, he could create a one-party system, bringing greater stability and strength to the government and undermining opportunities for resistance and opposition.

The problem with the Era of Good Feelings is that it was actually an era of bitter feelings and bitter conflict. In May of 1822, during his second term as President, an exasperated Monroe wrote to Madison:

I have never known such a state of things, as has existed here [in Washington], during the last Session, nor have I personally experienced so much embarrassment & mortification. Where there is an open contest with a foreign enemy, or with an internal party...the course is plain & you have something to cheer & animate you to action.<sup>10</sup>

Without an opposition party, however, “there is no division of that kind, to rally any persons, together, in support of the admin[istration].” This was most apparent when looking ahead to the 1824 presidential election, which “tho’ distant, is a circumstance, which excites greatest interest in both houses.” That election had already begun over two years before it was to be held, and that there were “three avowed candidates in the admin[istration], is a circumstance, which increases the embarrassment. The friends of each, endeavour to annoy the others.... In many cases the attacks are personal, directed against the individual.”<sup>11</sup>

Monroe had noted several effects that had followed from the eradication of party conflict:

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8. As Monroe wrote to James Madison in 1822, for instance, “Surely our govt. may get on, & prosper, without the existence of parties. I have always considered their existence as the curse of the country.... Besides, how ke[e]p them alive & in action? The causes which exist in other countries, do not, here. We have no distinct orders.” James Monroe, letter to James Madison, May 12, 1822, National Archives, *Founders Online*, <https://founders.archives.gov/documents/Madison/04-02-02-0445> (accessed September 5, 2018).

9. James Monroe, letter to Andrew Jackson, December 14, 1816, Library of Congress, [https://cdn.loc.gov/service/mss/maj/01043/01043\\_0104\\_0125.pdf](https://cdn.loc.gov/service/mss/maj/01043/01043_0104_0125.pdf) (accessed September 5, 2018).

10. Monroe to Madison, May 12, 1822.

11. *Ibid.*

- Instead of providing greater strength and support to the government, it actually weakened it. Party unity was premised on having another party, a common enemy, to oppose. Without that opposition, political conflict occurred *within* the party and the Administration.
- This conflict was no longer between two broad-based parties and coalitions, but among several different factions competing for power within the government itself.
- Because the conflict was among several factions from within the same party, they tended to be personal conflicts, based on personality rather than on a clear division of principle.
- This had produced long, protracted candidacies and conflicts, lengthening elections because of the conflict necessary to produce the two main candidates in the first place.

Although Monroe never gave up on his dream of a nation without parties, Van Buren learned important lessons from the Era of Good Feelings. The emergence of one-party government led to one of the most contentious presidential elections in American history: the 1824 “Corrupt Bargain.” With several candidates from the same party vying for office, each represented a sectional interest rather than a national agenda. The larger number of candidates meant that no single candidate could appeal effectively to a broad coalition. Consequently, each appealed to his narrower base of power, which led to regional candidacies. In addition, as the number of candidates split the vote, no single candidate received a majority in the Electoral College. This meant that the election would be decided by the House of Representatives, which could choose among the top three finishers: John Quincy Adams, William Crawford, and Andrew Jackson. Jackson received the most votes in the Electoral College, but the House selected Adams instead.

The fallout from this election was severe. Jackson and his allies spent the entirety of Adams’s presidency attacking him as illegitimate and resisting every measure he put forth. Adams was in

essence a lame-duck President before taking office. At the same time, Jackson’s personal popularity soared. Van Buren, then a Senator from New York, shuddered at the idea that Jackson could occupy the White House on the basis of his personal popularity alone after the 1828 election corrected the outcome of the 1824 election.

In response to this prospect, Van Buren hatched an idea: Create a nominating convention that would select Andrew Jackson as the party’s nominee. Prior to the 1820s, presidential candidates were nominated by congressional caucuses. Since state and local parties were not yet highly organized, these caucuses served as the most definitive statement by party leaders on the candidates that the party supported. The congressional caucuses had broken down as a result of Monroe’s attempt to eradicate parties, and in the 1820s, candidates sought nominations from their state legislatures and parties. This made them the representatives of narrow sectional interests rather than national parties.

Van Buren wanted to rebuild the national party nominating system. He was a New York Republican who reached out to top Republican leaders in the South with a proposal. In a letter to one of those leaders, Thomas Ritchie, in 1827, Van Buren explained his plan. There were several advantages to holding a national convention to nominate the next presidential candidate. First, it would reintroduce a two-party system instead of a one-party system in which internal party factions produced chaos and animosity.

“We must always have party distinctions and the old ones are the best of which the nature of the case admits,” Van Buren explained, and “[i]f the old ones [were] suppressed, Geographical divisions founded on local interests” would take the place of national parties promoting distinct national agendas. “Party attachment in former times furnished a complete antidote for sectional prejudices by producing counteracting feelings,” he wrote. “Formerly, attacks upon Southern Republicans were regarded by those of the north as assaults upon their political brethren & resented accordingly. This all powerful sympathy has been much weakened, if not destroyed by the amalgamating policy of Mr. Monroe.”<sup>12</sup>

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12. Martin Van Buren, letter to Thomas Ritchie, January 13, 1827, *The Papers of Martin Van Buren 1782–1862*, Series 1 (1 January 1825–3 March 1829), <http://vanburenpapers.org/content/mvb-thomas-ritchie-13-january-1827> (accessed September 5, 2018).



Van Buren's vision of a two-party system based on national parties would serve as a buffer against sectional or geographical divisions that might fundamentally divide the country. The party banner would unite people of different parts of the country, whereas Monroe's anti-party system exacerbated geographic divisions by creating multiple factions within the sole party.

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In addition, Van Buren suggested that party nominations would prevent elections from descending into contests of personality. Understanding that Andrew Jackson was likely to win election in 1828 whether or not he was the party's nominee, Van Buren sought to constrain Jackson's ambition by making him the instrument of the party rather than his own ambition:

[T]he effect of such an nomination on Genl Jackson could not fail to be considerable. His election, as the result of his military services without reference to party...would be one thing. His election as the result of a combined and concerted effort of a political party, holding in the main, to certain tenets & opposed to certain prevailing principles, might be another and a far different thing.<sup>13</sup>

If Jackson were to win based on his personality, he would have considerable personal power once he attained office. But if he owed his nomination and election to the party, he would have to accommodate the different views of people within the party once in office. In other words, Van Buren argued, it would "substitut[e] *party principle* for *personal preference* as one of the leading points in the contest."<sup>14</sup>

If a candidate is nominated by the party and is likely to carry out the wishes of the party, then the election becomes about the principles of the party rather than the personality of the candidate. This means that to make an election about principle rather than personality, candidates should be chosen by their parties, and voters should vote on the basis of party affiliation rather than personal preference.

Today, Americans think of elections in almost entirely opposite terms. They boast that they "vote for the person and not for the party," as if that were the principled way to vote. Van Buren's position was diametrically opposed to this. If voters chose Jackson without regard for his party, then they would be choosing a personality, but if they chose him as the representative of a reconstructed Jeffersonian Democratic Party, they would be choosing the policies of the party.

In his autobiography, reflecting on his career later in life, Van Buren described his "repugnance to a species of cant against Parties in which too many are apt to indulge when their own side is out of power and to forget when they come in." He argued that "in many and material respects [parties] are highly useful to the country." While it is true that "excesses frequently attend them and produce many evils," those evils are "not so many as are prevented by the maintenance of their organization and vigilance." The best approach, he concluded, was "to deal with the subject of Political Parties in a sincerer and wiser spirit—to recognize their necessity, to give them the credit they deserve, and to devote ourselves to improve and to elevate the principles and objects of our own and to support it ingenuously and faithfully."<sup>15</sup> Nominating conventions would promote the organizational strength and loyalty of the parties and elevate them so that they would promote principles rather than narrow interests or ambitious personalities.

Of course, Van Buren's vision was largely adopted by the two parties in the 19th century. Although we typically recoil at the "smoke-filled rooms" in which candidates were selected by party officials through dealmaking, for Van Buren, these conventions were critical to preventing American politics from

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13. Ibid.

14. Ibid. (Emphasis in original.)

15. *Annual Report of the American Historical Association for the Year 1918*, Volume II, *The Autobiography of Martin Van Buren*, ed. John C. Fitzpatrick (Washington: Government Printing Office, 1920), p. 125, <https://archive.org/details/cu31924024892709> (accessed September 5, 2018).

descending into contests of personal ambition or of geographic and narrow interests, both of which outcomes would prevent elections from promoting the common good. In Van Buren's view, by nominating candidates who are united on general principles, articulated in their platforms voted on by party delegates at the convention, and by keeping officials loyal to those principles once in office, parties were the best mechanisms for translating public opinion into public policy.

### **A Government Through Parties: The Apex of Party Power in America**

Although Van Buren succeeded in reconstructing the Jeffersonian party, now called the Democratic Party instead of the Republican, and worked to create national nominating conventions that emerged in the 1830s and 1840s, his vision came to full fruition only after the Civil War. The Gilded Age of the 1870s to 1900 was an age of party government. Because of this, it was also the age of congressional government, an era in which presidential power was constrained and Congress was the dominant branch of government.

Presidents were weak because, as Van Buren predicted, they were the instruments of their parties. They were nominated by their parties, and their election efforts were organized by party officials. Voters cast their ballots for parties and not for specific candidates. (In most cases, voters were given ballots that had only one party's candidates on them, ensuring a straight-ticket vote.) Therefore, when a President was elected, he understood that he could not act against the wishes of those who put him in office.

Congress, on the other hand, developed a sophisticated set of institutions and rules that put party leadership in control. The Speaker of the House of Representatives, for instance, held power through rules that gave them the ability to send legislation to the floor for votes, to assign Members to their preferred committees, and to recognize people who wished to speak in debates. Congress, in other words, had leaders who were powerful enough to set an agenda and Members who were loyal enough to support that agenda. This meant that Congress, not the President, was the source of the government's policy agenda.

But these powerful leaders were not free to impose their own personal will on Congress. Rather, they were

accountable to their party, so they had to act on behalf of the broad coalition of interests that formed the party. They could be removed from their leadership positions by the party if they failed to carry out the principles for which the party stood on election day.

While there was corruption in this system, such as graft on infrastructure projects and party "assessments" requiring political appointees to donate parts of their salaries back to the party, there were many positive benefits that enabled republican government to flourish.

- Congress, not the President, was the chief lawmaking power in the government. This ensured that the policies of the national government truly represented the diversity of the nation's interests.
- Because it kept control of its own power, Congress therefore did not create centralized, powerful bureaucracies that acted independently of the wishes of the people.
- Individual candidates' ambitions were secondary to the aims and principles of the parties that had influence over their behavior. Representatives had to follow the principles of the party, supported by the people, instead of promoting their own agendas and ambitions.
- Relatedly, individual Senators and Representatives had to balance the need to serve their own constituents' narrow interests against the national policies and principles of the party as a whole. This ensured that they thought not only of their states and districts, but of the country as a whole.
- Finally, parties overcame the gridlock and inefficiencies of the separation of powers by creating incentives for voters to put the same party in control of the House, Senate, and presidency, ensuring loyalty among members of all three institutions so that they worked together.

In words that are famous among political scientists, Stephen Skowronek has characterized the post-Civil War American state as "a state of courts and parties."<sup>16</sup>

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16. Stephen Skowronek, *Building a New American State: The Expansion of National Administrative Capacities, 1877-1920* (New York: Cambridge University Press, 1982), *passim*.

At the turn of the century, however, this party-centered political system was about to change dramatically for both practical and theoretical reasons.

The practical reasons were simple: Party government relied on incentives to attach individual officeholders to the broader coalitions that the party represented. This meant that individual representatives at times had to subordinate their own interests and those of their constituents to promote the aims of the party as a whole. To compensate them for making such a sacrifice, parties had the ability to hand out benefits such as patronage appointments (in which loyal party supporters received government jobs as compensation for their support) to desirable government positions. This patronage system was sometimes abused, and it also seemed to be an affront to the notion that only qualified applicants should be appointed to government positions.

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**The Pendleton Act sought to curb patronage practices at the lowest and most ministerial levels of the government, setting up a nonpartisan civil service system for such appointments. This move from patronage to civil service reform would be used decades later by reformers who wanted to strike at political parties in a fundamental way.**

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Resistance to this system came to a head in 1881, when President James Garfield was assassinated by Charles Guiteau, a disgruntled office seeker who was spurned by Garfield. Garfield lay incapacitated for two months as doctors tried in vain to save his life. The nation was transfixed at the spectacle, and in 1883, the Pendleton Act was passed. The Pendleton Act sought to curb patronage practices at the lowest and most ministerial levels of the government, setting up a nonpartisan civil service system for such appointments. This move from patronage to civil service reform would be used decades later by reformers who wanted to strike at political parties in a fundamental way.

### **The Progressive Attack on Parties**

The weakening of party influence came in the early 20th century from Progressive reformers whose first and most fundamental objective was to weaken parties or even eliminate them altogether from American politics. Three Progressive figures—Theodore Roosevelt, Herbert Croly, and Woodrow Wilson—outlined the Progressive objection to parties. Their critique included attacks on the corruption of political machines like Tammany Hall, the infamous New York City political organization that dominated local politics in the late 19th century, but went beyond the need to cleanse politics of such corruption.

Progressives wanted to build a modern state that would either transform parties from state-based coalitions of various interests into national, ideological parties or simply bypass them completely. Because they stood as intermediaries between the people and the government, political parties were an obstacle to the direct democracy that Progressives favored.

The Progressive attack on parties came to fruition in the fateful presidential election of 1912. Progressives had succeeded in undermining party leadership in Congress in 1910, when Democrats and insurgent Republicans voted to strip Speaker of the House Joseph Cannon of his powers, and had enacted reforms like the “Australian Ballot,” which ended the practice of party-printed ballots, to weaken parties in the late 19th century. But in 1912, Progressives took on a lynchpin of party strength: party control of the nomination of candidates.

In that election, the three main candidates—William Howard Taft, the incumbent Republican President; Theodore Roosevelt, at first an insurgent Republican; and Democratic Party candidate Woodrow Wilson—represented the various viewpoints on the role of parties in American constitutionalism. Roosevelt, along with leading intellectual Herbert Croly, attacked the parties as undemocratic, while Wilson criticized them for being insufficiently nationalistic in their focus.

As Croly put it in his 1914 book *Progressive Democracy*, “direct popular political action is coming to have a function in the political organization of a modern society, because only in this way can the nation again become a master in its own house.”<sup>17</sup>

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17. Herbert Croly, *Progressive Democracy* (New York: Macmillan Co., 1914), p. 266.

The two-party system undermines the ability of the people to be masters of their own destiny, in Croly's view, because it "proposes to accomplish for the people a fundamental political task which they ought to accomplish for themselves. It seeks to interpose two authoritative partisan organizations between the people and their government."<sup>18</sup>

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Croly believed that political parties could be destroyed by putting the people in control. Direct primaries would allow the people to tell parties who their candidates are and what their principles should be instead of parties deciding these things for themselves and presenting their platforms to the people. Direct-democracy reforms like initiatives and referenda would enable the people to make their own laws, circumventing their representatives in the legislature, and recalls would prevent representatives from resisting public opinion.

During the 1912 campaign, Theodore Roosevelt adopted all of these proposals and declared himself an advocate for pure democracy, unfiltered by political parties. Although he first sought the nomination of the Republican Party by challenging his old friend William Howard Taft, the incumbent President, he abandoned the Republicans and created his own Progressive Party when Republican leaders

denied him the nomination. During his intraparty challenge to Taft, Roosevelt gave a famous speech in which he declared:

I believe in pure democracy... We Progressives believe...that unless representative government does absolutely represent the people it is not representative government at all... For this purpose we advocate...all governmental devices which will make the representatives of the people more easily and certainly responsible to the people's will.<sup>19</sup>

Consequently, Roosevelt in that speech announced his support for direct primaries, the direct election of U.S. Senators, the initiative and referendum, the recall, and even the recall of judicial decisions interpreting the Constitution.<sup>20</sup>

Roosevelt's speech was in essence an attack on the Republican Party and party government itself, and once he committed himself to such a position, leading Republicans agreed that they had to do everything in their power to prevent him from becoming the party's nominee in 1912. When they succeeded in denying him the nomination, Roosevelt led the creation of the Progressive or "Bull Moose" Party—a party that, instead of being centered around ideas with candidates playing a secondary role, was centered around a single candidate. In fact, the very first plank of the Progressive Party's platform in 1912 read:

Political parties exist to secure responsible government and to execute the will of the people.

From these great tasks both of the old parties have turned aside. Instead of instruments to promote the general welfare, they have become the tools of corrupt interests which use them impartially to serve their selfish purposes. Behind the ostensible government sits enthroned an invisible government owing no allegiance and acknowledging no responsibility to the people.

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18. *Ibid.*, p. 341.

19. Theodore Roosevelt, "A Charter of Democracy: Address before the Ohio Constitutional Convention," February 21, 1912, <http://www.theodore-roosevelt.com/images/research/txtspeeches/704.pdf> (accessed September 10, 2018).

20. Roosevelt did not advocate the recall of specific decisions by the U.S. Supreme Court, because he believed that the Constitution forbade such a reform, but he did advocate for a state-based recall of judicial decisions in which decisions of state courts interpreting state constitutions could be overturned by referendum.

To destroy this invisible government, to dissolve the unholy alliance between corrupt business and corrupt politics is the first task of the statesmanship of the day.<sup>21</sup>

The Progressive Party was in essence a party to end parties. The fact that Roosevelt received more votes in the 1912 election than Taft, the Republican candidate, suggested that in many ways, Progressives had won their war against party government. Since 1912, parties increasingly have used direct primaries to nominate candidates rather than allowing “unpledged” delegates to select candidates through discussion and compromise at party conventions.

But Roosevelt’s and Croly’s attack on parties was not simply about setting up direct democracy. More fundamentally, it was about eliminating parties as an obstacle to the creation of a modern administrative state. As Croly explained:

The success of the new instruments [of direct democracy] will be commensurate with their success as agencies for the realization of positive popular political purposes. Their serviceability as agencies for the realization of popular political purposes will depend upon the ability of democratic law-givers to associate with them an efficient method of delegating popular political authority. Direct democracy, that is, has little meaning except in a community which is resolutely pursuing a vigorous social program.<sup>22</sup>

In other words, according to Croly, direct democracy was not the end goal of the Progressives, but a means of broadening the role of government to advance “positive popular political purposes” such as national regulation of the economy and redistributive programs like Social Security. And this would require that democratically elected officials give up their power to administrative agencies that would promote these new purposes.

In the aftermath of the 1912 election, Croly declared victory for the Progressives. Although the

Progressive Party did not win in 1912, it had accomplished its goal through the election of Woodrow Wilson, who followed many of the principles laid out by Croly and Roosevelt. Most fundamentally, the establishment of primaries for nominating candidates had deprived parties of the means of determining their own principles and nominating candidates who would be loyal to those principles. Parties could no longer determine at their nominating conventions who their candidates were going to be. This meant that candidates could take whatever positions they wanted and retain the party label as long as voters selected them during the primary. Consequently, parties became less cohesive, defined more by their candidates’ diverse positions (which often varied depending on where the candidate was running) than by their principles.

Croly understood the effect this would have on party cohesion. In his words, “the old two-party system [would] merely be prolonged rather than really resurrected” after 1912.<sup>23</sup> Parties would still exist, but they would no longer serve their former purposes of setting forth general principles, nominating candidates who agreed with those principles, and ensuring their loyalty to those principles once in office. He announced that “by popularizing the mechanism of partisan government”—namely, the nomination of candidates—“the state has thrust a sword into the vitals of its former master. Under the influence of direct primaries national parties will no longer continue to be an effective method for organizing the rule of the majority.”<sup>24</sup>

The reason that parties would no longer help to organize majority rule was simple: Without the ability to nominate their own candidates, parties could no longer control their own principles or ensure loyalty to those principles once officials were elected to office. “A party is essentially a voluntary organization for the promotion of certain common political and economic objects,” explained Croly. “It presupposes a substantial agreement of opinion and interest among the members of the party, and a sufficient amount of mutual confidence.” But by “forcing it to select its leaders in a certain way, the state is

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21. *The Social and Political Thought of American Progressivism*, ed. Eldon J. Eisenach (Indianapolis: Hackett Publishing Company, 2006), p. 274.

22. Croly, *Progressive Democracy*, p. 270.

23. *Ibid.*, p. 341.

24. *Ibid.*, p. 342.

sacrificing the valuable substance of partisan loyalty and allegiance to the mere mechanism of partisan association.”<sup>25</sup>

Croly envisioned that candidates would still be required to use the mechanism of party association and run as members of parties, but because they gained the party nomination as a result of their own efforts, largely independent of the party leaders, they could no longer be relied upon as loyal partisans who would pledge allegiance to the party’s platform, policies, and principles. Parties would become husks of their former selves:

[T]he increasing importance of a formal allegiance will be accompanied by a diminished community of spirit and purpose.... The system of direct presidential primaries will result in intense and bitter contests for the nomination, and in the consequent undermining of party cohesion. The party, instead of being organized in order to enable its members to consult one another and reach an agreement upon differences of opinion, will be organized chiefly as an official machinery for naming candidates. The candidate, after having been named by a majority of the voting members of his party, becomes comparatively independent of its other leaders.<sup>26</sup>

As with the Era of Good Feelings, the weakening of internal cohesion would produce disloyalty and lack of discipline inside the parties. Croly predicted that this would make nomination contests increasingly contentious. The role of the party in this process would be minor. Candidates, not parties, would play the leading role in elections, and this would turn parties into a basic machinery for naming candidates who would rely on themselves and their personal supporters for power rather than on the party. This would produce representatives who were independent of their parties, free to go their own way when their interests or opinions conflicted with those of the party to which they nominally belonged.

In place of the party-centered system of the late 19th century, Croly predicted that the government itself would serve as the agent of the people.

Following the 1914 midterm elections, in which the Progressive Party suffered tremendous losses without Roosevelt leading the ticket, Croly reassured Progressives that the two-party system was still in decline. “The government itself has become the necessary agent of the democratic programme,” he explained, “because the programme itself has become essentially social.”

The American democracy will not continue to need the two-party system to intermedicate between the popular will and the governmental machinery. By means of executive leadership, expert administrative independence and direct legislation, it will gradually create a new government machinery which will be born with an impulse to destroy the two-party system.<sup>27</sup>

Croly’s predictions have come to fruition. The story of American politics over the past one hundred years is the replacement of party politics by presidential, administrative government.

### **Bureaucracy and Gridlock: The Effects of Party Decline**

In spite of the Progressives’ stated intention to destroy the two-party system altogether, we still operate under a two-party system today. Furthermore, as noted, it seems as though parties in some respects are more powerful than ever: People often vote along party lines, and people in government vote alongside members of their own parties. Can it really be true that parties were replaced by a presidential, administrative state over the past century?

There is a great deal of evidence that, in fact, the power of parties has diminished considerably over the past century. Voters generally cast their ballots for candidates from one party or the other rather than splitting their tickets by voting for members of both, but there is enough ticket-splitting to produce Republican representatives from “blue” states and Democratic representatives from “red” states. Consider that in 2012, Democrat Joe Manchin was elected to the U.S. Senate with over 60 percent of the vote in West Virginia at the same time that Democrat

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25. *Ibid.*, pp. 342-343.

26. *Ibid.*, pp. 343-344.

27. Herbert Croly, “The Future of the Two-Party System,” *The New Republic*, November 14, 1914.

Barack Obama lost the presidential race in the same state by nearly 30 points. There are many examples of individual candidates who run not as typical members of their party, but as independent candidates with a party label attached, allowing them to cater more to their constituents' interests and views than to the goals of the national party. Candidates matter as much as parties matter, at least in many of these high-profile elections.

This happens not just during elections, but after them as well. It is true that party unity in Congress is at its highest level in a century, at least if voting patterns are what we use to measure party unity, but party unity and party loyalty are very different things. If one hundred representatives cast the same vote, we cannot determine whether they did so because they were loyal to each other and to their party or because they simply agreed with each other.

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**Party unity today appears to be based on agreement rather than loyalty. A party that engenders loyalty is able to overcome its internal differences by appealing to the broader principles that unite it. When today's parties encounter differences that divide them internally, they fall apart.**

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Party unity today appears to be based on agreement rather than loyalty. A party that engenders loyalty is able to overcome its internal differences by appealing to the broader principles that unite it. When today's parties encounter differences that divide them internally, they fall apart. Republican leaders in the House and Senate have not been able to rely on the loyal following of members of their own party, who seem to be responding more to the voters who sent them to Washington than to the organizations and leaders who purportedly represent the party.

As Progressives like Croly predicted, the undermining of party loyalty and cohesion has followed the undermining of the power of parties to control their own candidates and therefore to determine their own principles. Instead of parties setting their own principles, candidates do so for the party. The consequences have been profound.

- Money and advertising have gained increased focus in political campaigns as candidates have to introduce themselves to voters, whereas parties' reputations and identity are maintained over time.
- As money in politics has risen, a campaign finance system that punishes political parties and enables independent group expenditures has exacerbated the gap in power between parties and interest groups.
- Candidate-centered elections have produced uglier campaigns that focus more on personal attacks than on substantive policy issues, since the focus is now on candidates rather than party platforms.
- Voters are increasingly disengaged from the parties, and participation in politics has diminished in all its forms—voting, campaigning for party principles, and participating in local party events—further eroding social capital.
- Divided government is increasingly common, with voters splitting their tickets to produce majorities of different parties in different branches of government. This leads to gridlock and a sense that government is unresponsive to the people.
- In Congress, party leaders are unable to rely on the loyal support of the rank-and-file, leading them (unwisely) to attempt to dictate legislation by bypassing normal deliberation. In response, rank-and-file members who fear their constituents more than their party leaders revolt, and parties seem incapable of maintaining their coalitions.

The consequences of party decline, in short, have been candidate-centered elections in all of their ugliness, the rise of marketing in political campaigns rather than a focus on serious issues, and gridlock as individual candidates and officeholders have fewer incentives than ever to work with members of a coalition.

In these circumstances, we might think that government would simply be paralyzed as parties provided the glue that used to make Congress function,

connected voters to their government, and prevented the gridlock that sometimes results from the separation of powers, but government has hardly been paralyzed. Rather—as the Progressives envisioned—the vacuum that the parties once occupied has been filled by an unelected, apolitical administrative state. Once it has received its power from Congress, the administrative state no longer relies on future elections to accomplish its goals. It is relatively insulated and continues to work regardless of the wishes of party leaders or the people who empower them.

### Conclusion

The paradoxes of parties in American politics are everywhere, but perhaps the greatest paradox is that Progressives, in the name of greater democracy and accountability, have undermined the very institutions that keep government accountable to the people. Even as long ago as the 1790s, James Madison saw this and incorporated parties into his understanding of American constitutionalism.

Today, with a government that seems unresponsive to the people, we would be wise to revisit the arguments of those who knew that parties had a positive role to play in our system and consider reforms to revive the great parties we once had. Parties do not make American government less accountable. They make politics more accountable. They ensure that elections have consequences by providing mechanisms for individual actors in the government to work together on common goals. In the process of encouraging individual officials to work together, parties produce greater moderation and compromise, but in an extended republic, moderation and compromise are necessary for political reforms to occur in the first place.

With the rise of the modern administrative state, the national government's impulse to control our decisions is on autopilot, without any need for the elected political branches of the government to act. Gridlock in these branches facilitates the expansion of the administrative state. The only way to return power to the political branches is to support institutions like political parties that allow them to act collectively to reassert their authority—the people's authority—over the unelected bureaucracy.

Great parties are based on loyalty rather than temporary agreement. They control their identities, putting party principles above candidates' personalities. They have institutional resources to hold their coalitions together in the face of incentives to act individually, maintaining coalitions based on principle and presenting their principles to the American people. These great parties make American politics more accountable by letting the people decide between competing visions of good government rather than individual candidates and their personalities. They moderate politics and provide opportunities for leadership in Congress instead of shifting all power to the executive. They enable us to enjoy the benefits of checks and balances while avoiding excessive gridlock. Finally, they encourage elected officials to put the national interest ahead of narrow special interests.

Paradoxically, Americans today attribute to parties the very maladies from which great parties would save us—if only we would restore them.

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