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## The Icelandic Federalist Papers

### Title

No. 18: Electing and Removing the President

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## No. 18: Electing and Removing the President

### To the People of Iceland:

In Federalist 68, about the mode of electing the president, it is said that “It was desirable that the sense of the people should operate in the choice of the person to whom so important a trust was to be confided.” Unfortunately, the mere desirability of an expectation cannot serve for this expectation to become real. Similarly, as said in Federalist 48, “a mere demarcation on parchment of constitutional limits of the several departments is not sufficient guard against those encroachments which lead to a tyrannical of all the powers of government in the same hands.” This means that resorting to the supposed sense of the people cannot guarantee the appropriate and sufficient attributes of those who aspire to be the president.

Federalist 68 teaches us that many electors are more capable to analyze the qualities of the different candidates, and less tempted to fall in tumult and disorder. It is difficult to avoid a general manipulation of the electors through the media and all the other sophisticated means of influencing the people without their knowledge.

The list of mediocre presidents of different countries, who arrived at the presidency through lying or corruption, could easily be enormous. A new constitution should take into account the different ways through which people could be manipulated: cheatingly using the needs of those who live most precarious lives; using the fears of an increased subjective perception of insecurity; or through convincing people about threats from within and without. In Federalist 49, Madison recognized the real difficulty of expecting a nation of philosophers. Correspondingly, a nation of low education or conveniently manipulated people probably will not tend to elect the philosopher-king wished for by Plato.

This long list of presidents, in different countries, times and cultures, who were not *endowed with the requisite qualifications*, demonstrates that the requirements to be president are one of the most important factors in guarding democracy. By extension, the requirements to be a politician, the causes to be removed or to be permanently disqualified for public office, are equally as important.

Federalist 68 specifies the qualities every candidate for president must have. These requisites are: “talents for low intrigue, and the little arts of popularity”; “pre-eminent characters for ability and virtue”; and “the true test of a good government is its aptitude and tendency to produce a good administration.” These qualities may be conveniently translated to every time and society, and all of them could be presented as factors that prevent some from becoming president and require others to be removed from that office.

The paradox in many countries today is the paradox between their formal democratic government structure and the practical reality of undemocratic processes faced by their citizens. And it seems obvious that the president is most affected by those processes. Therefore, a new constitution should focus on the processes that show a drift from formal democracy towards totalitarian practices.

The path to totalitarianism has the following features:

- Reservation of the powers of government to serve select group interests, preventing them from serving their intended constituencies; this may be done directly or indirectly.
- Control of the media and censorship of content and opinions. This control and censorship can be done through multiple forms: expulsion of dissidents or critics; co-opting organizations that are willing to put their interests first; hardening the conditions for funding organizations; ideological selection of organizations.
- Imposition of a unilateral and unelected power, such as of the power of the economic and financial markets, which seem to most citizens as if they had no limit or control over themselves and are not subject to government or public regulation.
- Control and manipulation of the information that citizens receive or have access to. Some political discourse tends to blame the citizens for their own situation and present those unpopular decisions as if they were compulsory for the authority to make, even presenting them as *for the public's own good*.
- Self-referential, which means a permanent justification of one's own positions, without listening to or accepting any position that could question the principles, criteria, and goals of the group or groups in the power.
- Violence or repression of dissent.
- Emergence of those who present themselves as if they were the only ones who can save the homeland; those who propose themselves as the only saviors of a situation that they themselves have provoked or contribute to maintaining, establishing that outside of them there is no legitimacy or *salvation*. In this way, these people or parties establish that they are the only ones who know what can and should be done.
- Control of the armed forces, the police, and public intelligence services, which are put to work serving particular positions and interests, against the citizenship.
- Imposition of a government (or a company or organization that is serving to certain groups) where its continued existence depends on its compliance. This imposition can be carried out under blackmail pressure of external financing to ensure the preferred people are selected; or generously financing a certain candidacy; or buying votes; or simply imposing, unilaterally and without elections, the preferred candidate.
- Illegal attacks on the rules of organizations or competences of the constituted authorities. In this way, *exceptions* can be legally established that favor certain interests and against the common interest.
- Suppression or *regulation* of constitutional rights, freedoms, and guarantees by modifying the constitution itself without due process.
- Subverting the justice ministries to serve select groups.

These points are relevant, because a growing number of citizens seem to perceive and express the idea of living in a situation more like tyranny than a real democracy. For these citizens, it is not difficult to find more examples that separate us from a model of democratic society and organization and bring us closer to a model of authoritarian society and organization. This is particularly true if we accept the difference between a merely formal democracy and a real democracy.

If new governments and constitutions do not recover these citizens, new and corresponding social movements may be socially and politically necessary. It probably would be more effective to design the procedures to restore the confidence of these disappointed citizens and their esteem for democracy, instead of depending on the process of action-reaction between the government and every social movement.

The issue, then, concerns whether these procedures exist or not and whether they are sufficiently perceived by citizens as truly democratic. Policymakers must consider many features: the relationship between social justice and legality; transparency of governmental decisions; effectively combating corruption; and an effective means of ensuring decent living conditions for everyone.

Finally, voting for political representation in a formal democracy does not imply a cession of sovereignty, which always resides, exclusively and without conditions, in the people. The people retain the sovereign power to remove a president and government when they do not serve the people. Even a democratically elected president or government is subject to revision: when they act against the interests of the only sovereign they serve, then the people must have the right to remove them and to elect other representatives. If the current constitution does not prevent using people's votes as a cession of sovereignty, then some reforms or a new constitution should be addressed.

—CIVIS