

We The People

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Where does sovereign power come from and to whom is it bestowed? In other words, from where does the government derive its power?

The short answer is that the government receives its power from the people. With this essay, we will explore not only from whom it receives its power, but in what form the power takes. A common misperception is that America is a democracy. However, the truth is that the Founding Fathers established our country as a Constitutional Republic. In fact, the word “democracy” is not found in any of our founding documents or state constitutions. The difference between the two forms of government being that a democracy views society as a whole as being of supreme importance when considering rights, whereas a republic regards the individual as being of supreme importance when considering rights. To give the establishment of our country historical perspective, our Founding Fathers had just fought a war to gain independence; they weren’t going to give that power away to even their own government. An illustration of this is the fact that the treaty of Paris was signed between Great Britain and 13 independent sovereign states in 1783.

When choosing to establish a democracy or a republic, the Founders were very deliberate in their choice. They did not build the nation on nebulous ideas, but with intense study and research and reliance on the Almighty to build a government of the people by the people for the people. They felt it was extremely important that America be formed with a republican form of government. This desire was so critical that it manifested itself in the form of Article 4, Section 4 of the U.S. Constitution.

The United States shall guarantee to every State in this Union a Republican Form of Government, and shall protect each of them against Invasion; and on Application of the Legislature, or of the Executive (when the Legislature cannot be convened) against domestic violence.

Let’s further explore our history and read the Founders’ own words. When one reads the Declaration of Independence, it becomes crystal clear where the Founders believed the power for government came from and to whom the power was bestowed.

We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable rights, that among these are life, liberty, and the pursuit of happiness.

Sovereign power comes from God, our Creator, and is bestowed upon individuals. How do we secure these rights, let’s continue with the Declaration of Independence

...that to secure these rights, governments are instituted among men, deriving their just powers from the consent of the governed.

Who controls the sovereign power bestowed on them? It is the individual! When these basic principles are sequestered or forgotten, tyranny will appear.

Government can be illustrated with a graph divided into 5 different categories



Democracy and republic are forms of government dictated by the people. To summarize the definitions of these two forms of government, democracy represents a majority with unlimited power while a republic represents a majority with limited power (thus, protecting the freedoms of the individual). The difference is where the sovereign power is wielded, with the individual or with the collective. The individual is subordinate to the will of the masses in a “mobocracy”, or in an elite body, a “snobocracy”. Our Founders’ belief on this is clear. James Madison, in *Federalist No. 10*, goes through the definition of both a democracy and a republic as he writes, “Hence it is that such democracies have ever been spectacles of turbulence and contention; have ever been found incompatible with personal security or the rights of property; and have in general been as short in their lives as they have been violent in their deaths.”¹

He was not alone. John Adams, a co-writer of the Declaration of Independence, second President of the United States, and author of the first constitution of Massachusetts stated, “Remember, democracy never lasts long. It soon wastes, exhausts, and murders itself. There never was a democracy yet that did not commit suicide.”²

Benjamin Rush, a signer of the Declaration of Independence and a man John Adams called the smartest man in the room, stated, “A simple democracy...is one of the greatest evils.”³

Finally, John Witherspoon, President of Princeton University and signer of Declaration of Independence, “Pure democracy cannot subsist long, nor be carried far into the departments of state. It is very subject to caprice and the madness of popular rage.”⁴

As one can see by these few examples, our Founders thought a democracy was an abdominal form of government because the individual would be subservient to the collective.

A republic form of government, however, is ruled by law. In this form, the sovereign power rests with the individual who grants certain limited powers to a representative to conduct the general welfare of the whole based on a set of written constitutional principles (i.e. “consent of the governed”). The *Federalist*, written by John Jay, Alexander Hamilton, and James Madison was a series of 85 articles in the

¹ James Madison. *The Federalist No. 10*. Published in the *Daily Advertiser*, Thursday November 22, 1787.

² John Adams, letter to John Taylor, April 15, 1814. *The Works of John Adams*, ed. Charles Francis Adams, vol. 6, p. 484.

³ Benjamin Rush, letter to John Adams. 21 July 1789.

⁴ John Witherspoon, *The Works of John Witherspoon* (Edinburgh; J. Ogle, 1815), Vol. VII, p. 101, Lecture 12 on Civil Society.

New York papers explaining why a Constitutional Republic form of government was necessary. This can be summarized, with this excerpt:

*A constitutional republic is designed to provide for popular control of government as well as for ordered liberty characterized by the rule of law.*⁵

A republic does have its weaknesses. That is why Benjamin Franklin was quoted in 1787 as he was leaving the constitutional convention when asked the question, "Well Dr., what have we got, a republic or a monarchy?" He responded, "A republic, if you can keep it."⁶

What is it that Founders believed that must be a key component to a functional republican form of government? Virtue!

Publius was clear that society, not government, is the source and generator of values which is the foundation of virtue. Where is value based from? Our Founders leave no doubt. It comes from Judea-Christian precepts.

According to George Carey, in his book, *Federalist, a Design for a Constitutional Republic*, "Obviously, the achievement of these ends under the republican form of government requires more than keeping government within its proper bounds, it requires virtue among the citizenry as well."⁷ John Adams stated this eleven years prior to Publius. "It is religion and morality alone which can establish the principles upon freedom can securely stand. The only foundation of a free constitution is pure virtue."⁸ What religion? "The Ten Commandments and the Sermon on the Mount contain my religion."⁹

With a base of these moral standards that are unchanging, the government can work through the rule of law to achieve the liberty of each individual. Even with this republican form of government, our Founders knew that power corrupts absolutely. They knew that if power was with one, or even a few within a small group, power would accumulate and could lead to tyranny. Therefore, to diffuse the power, they divided the government and provided more power to the government that was closest to the people. The federal government is a child of the state government restricted to and limited to certain enumerated functions articulated within the Constitution. The intertwining of the state and federal systems diffuses power to protect the rights of each individual. The federal government is then further divided into three branches, legislative, executive, and judicial.

In *Federalist No. 37*, Madison's assertion is that "energy in government is essential to that security against external and internal danger. And to that, prompt and solitary execution of the laws which enter into the very definition of good government."¹⁰

Furthermore, *The Federalist No. 51* states, "If men were angels, no government would be necessary. If angels were to govern men, neither external nor internal controls on government would be necessary. In framing a government which is to be administered by men over men, the great difficulty lies in this:

⁵ George W. Carey *The Federalist, a Design for a Constitutional Republic*, pg 163.

⁶ *The Records of the Federal Convention of 1787*, ed. Max Farrand, vol. 3, appendix A, p.85 (1911, reprinted 1934).

⁷ George W. Carey *The Federalist, A Design for a Constitutional Republic*, pg. 159.

⁸ John Adams, letter to Zabdiel Adams. June 21, 1776.

⁹ John Adams, letter to Thomas Jefferson. 1813.

¹⁰ James Madison. *The Federalist, A Design for a Constitutional Republic*, pg. 159.

you must first enable the government to control the governed. And in the next place, oblige it to control itself.”¹¹

And, finally, in Thomas Jefferson’s first inaugural address, “Still one thing more, fellow citizens – a wise and frugal government which shall restrain men from injuring one another, shall leave them otherwise free to regulate their own pursuits of industry and improvement, and shall not take from the mouth of labor the bread it has earned. This is the sum of good government and it is necessary to close the circle of our felicities.”¹²

In conclusion, issues are not always black and white, but our core, foundational principles are. When viewing issues through the prism of our principles, we find that our decisions, although difficult, become clearer. Our principles, the very principles that guided our Founding Fathers, should serve as our rudder to keep us on a course of true individual Liberty. As such, the American Experiment is best expressed in the republican form of government. History has proven this fact. The path we are on now, a path toward collectivism has also been proven by history to be a complete abject failure! The time is now to return our Constitutional Republic to the glory that allows you and me to not only dream, but secure, the American Dream!

¹¹ James Madison. *The Federalist No. 51*. Published in the Daily Advertiser, Wednesday, February 6, 1788.

¹² Thomas Jefferson. 1st Inaugural Address, 1801.