

## Distinguishing between a Democracy and a Republic

The United States is not a democracy, and the Founders used strong words to make clear that their nation should never become one. Consider the following statements:

- ✧ Benjamin Rush: "A simple democracy ... is one of the greatest of evils" (1789).
- ✧ James Madison: "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" (1787).
- ✧ John Adams: "Remember, democracy never lasts long. It soon wastes, exhausts, and murders itself. There never was a democracy yet that did not commit suicide" (1814).
- ✧ Thomas Jefferson: "An elective despotism was not the government we fought for..." (1782)
- ✧ Edmund Randolph: "...that in tracing these evils to their origin every man had found it in the turbulence and follies of democracy." (1787)
- ✧ John Marshall: "Between a balanced republic and a democracy, the difference is like that between order and chaos."

The simple fact is that the United States is a republic (and a constitutional republic at that), not a democracy, by purposeful design.

### – DEMOCRACY –

The chief characteristic and distinguishing feature of a Democracy is: rule by majority.

↳ People meet and exercise government in person, which can be done in a small territorial area.

In a Democracy, the individual, and any group of individuals composing any minority, have no protection against the unlimited power of the majority.

- ↳ This is true whether it be a direct or a representative democracy.
  - ↳ In the direct type, all of the electorate assemble to debate and decide all government questions, and majority vote rules.
  - ↳ In a representative democracy, people elect representatives to the national legislature who in turn make all legislative decisions. *In both the direct and the representative type of Democracy, the majority's power is absolute and unlimited; its decisions are unappealable under the legal system established to give effect to this form of government.*
  - ↳ This opens the door to concerns. This was what the Framers expressed when they condemned the "excesses of democracy" or "tyranny of the majority", and abuses under any Democracy of the unalienable rights of the individual by the majority.
    - ↳ Examples were provided in the immediate post-1776 years by the legislatures of some of the States. In reaction against earlier royal tyranny, which had been exercised through oppressions by royal governors and judges of the new State governments while the legislatures acted as if they were virtually omnipotent. There were no effective State Constitutions to limit the legislatures.
- ↳ This topic of the dangers to the people's liberties due to the turbulence of democracies and omnipotent, legislative majority is discussed in Federalist Papers 10 and 48.
  - ↳ The Framers, by their protests against the "excesses of democracy," were merely making clear their sound reasons for preferring a Republic as the proper form of government.
- ↳ In a democracy, people hold the power to rule directly.
  - ↳ Examples of democracy in action in this country include initiative and referendum, where the people vote directly on specific issues.
    - ↳ Naturally, it would be impractical to administer an entire country if people had to have a direct vote on every issue.
- ↳ The word "democracy" does not appear in the Constitution or the Declaration of Independence.

### – REPUBLIC –

Republicanism stresses liberty and inalienable rights as central values, makes the people as a whole sovereign, rejects inherited political power, expects citizens to be independent in their performance of civic duties, and vilifies corruption.

Most significant difference from Democracy; Republicanism asserts that people have unalienable rights that cannot be voted away by a majority of voters; it is rule rooted in laws.

A republic implicitly contains the element that we would call democracy, but it is understood that the US is a representative democracy, in which the people choose representatives who in turn decide the issues of the day in competition with other branches of the government and in accordance with the law. Governance, in other words, has a basis in the people but is removed from the mob.

The purpose of a Republic is to control the majority. Representatives are chosen and they meet to exercise government; this can be done over a wider territory.

- ↳ So one might say that the Republic lengthens the distance between the decision and the mob, relative to a Democracy. (By contrast, in a dictatorship, there is no distance at all: the mob is completely cut out from the decision)

Federalist Paper nr.55 (James Madison)

- ↳ "As there is a degree of depravity in mankind which requires a certain degree of circumspection and distrust: So there are other qualities in human nature, which justify a certain portion of esteem and confidence. Republican government (that of a Republic) presupposes the existence of these qualities in a higher degree than any other form. Were the pictures which have been drawn by the political jealousy of some among us, faithful likenesses of the human character, the inference would be that there is not sufficient virtue among men for self government; and that nothing less than the chains of despotism can restrain them from destroying and devouring one another."

Federalist Papers nr.10 (James Madison)

- ↳ "The two great points of difference between a democracy and a republic are: first, the delegation of the government, in the latter, to a small number of citizens elected by the rest; secondly, the greater number of citizens, and greater sphere of country, over which the latter may be extended"

## LECTURE NOTES INTRODUCTION

In recognition that it's Congress that poses the greatest threat to our liberties, the framers used negative phrases against Congress throughout the Constitution such as:

↳ shall not abridge, infringe, deny, disparage, and shall not be violated, nor be denied.

In a republican form of government, there is rule of law.

↳ All citizens, including government officials, are accountable to the same laws.

Government power is limited and decentralized through a system of checks and balances.

Government intervenes in civil society to protect its citizens against force and fraud but does not intervene in the cases of peaceable, voluntary exchange.

Contrast the framers' vision of a republic with that of a democracy.

↳ In a democracy, the majority rules either directly or through its elected representatives.

↳ As in a monarchy, the law is whatever the government determines it to be.

↳ Laws do not represent reason. They represent power.

↳ The restraint is upon the individual instead of government. Unlike that envisioned under a republican form of government, rights are seen as privileges and permissions that are granted by government and can be rescinded by government.

In a word or two, the founders knew that a democracy would lead to the same kind of tyranny the colonies suffered under King George III.

The framers gave us a Constitution that is replete with undemocratic mechanisms.

One that has come in for recent criticism and calls for its elimination is the Electoral College. In their wisdom, the framers gave us the Electoral College so that in presidential elections large, heavily populated states couldn't democratically run roughshod over small, sparsely populated states.

Here's my question: *Do Americans share the republican values laid out by our founders, and is it simply a matter of our being unschooled about the differences between a republic and a democracy? Or is it a matter of preference and we now want the kind of tyranny feared by the founders where Congress can do anything it can muster a majority vote to do?* I fear it's the latter.

## QUOTES ILLUSTRATING THE FOUNDERS DISCONTENT WITH DEMOCRACY

- ✧ Benjamin Rush: "A simple democracy ... is one of the greatest of evils" (1789).
- ✧ James Madison: "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" (1787).
- ✧ John Adams: "Remember, democracy never lasts long. It soon wastes, exhausts, and murders itself. There never was a democracy yet that did not commit suicide" (1814).
- ✧ John Adams: "The fundamental article of my political creed is that despotism, or unlimited sovereignty, or absolute power, is the same in a majority of a popular assembly, an aristocratic council, an oligarchical junto, and a single emperor." (1815)
- ✧ John Adams: "Democracy will soon degrade into an anarchy; such an anarchy that every man will do what is right in his own eyes and no man's life or property or reputation or liberty will be secure, and every one of these will soon mould itself into a system of subordination of all the moral virtues and intellectual abilities, all the powers of wealth, beauty, wit and science, to the wanton pleasures, the capricious will, and the abominable cruelty of one or a very few."
- ✧ Thomas Jefferson: "An elective despotism was not the government we fought for..." (1782)
- ✧ Edmund Randolph: "...that in tracing these evils to their origin every man had found it in the turbulence and follies of democracy." (1787)
- ✧ John Marshall: "Between a balanced republic and a democracy, the difference is like that between order and chaos."
- ✧ George Washington: "Democracy is nothing more than mob rule, where fifty-one percent of the people may take away the rights of the other forty-nine."
- ✧ Benjamin Franklin: "Democracy is two wolves and a lamb voting on what to have for lunch. Liberty is a well-armed lamb contesting the vote"
- ✧ Alexander Hamilton: "It has been observed that a true democracy, if it were practicable, would be the most perfect government. Experience has proved that no position is more false than this. The ancient democracies in which the people themselves deliberated never possessed one good feature of government. Their very character was tyranny; their figure, deformity."
- ✧ Alexander Hamilton: "Our real disease, which is democracy."
- ✧ Fisher Ames (Massachusetts): "The known propensity of a democracy is to licentiousness [wastefulness] which the ambitious call, and the ignorant believe, to be liberty." (1788)
- ✧ Edmond Randolph: "our chief danger arises from the democratic parts of our state constitutions...none of the constitutions have provided sufficient checks against the democracy."
- ✧ James Madison: "it may be concluded that a pure democracy ... who assemble and administer the government in person, can admit of no cure for the mischief of faction. A common passion or interest will, in almost every case, be felt by a majority of the whole ... and there is nothing to check the inducements to sacrifice the weaker party or an obnoxious individual. Hence its 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." (1787)
- ✧ Alexis de Tocqueville: "A democratic government is the only one in which those who vote for a tax can escape the obligation to pay for it."

## QUOTES ILLUSTRATING THE FOUNDERS PREFERENCE FOR A REPUBLIC

- ✧ Alexander Hamilton: "We are a Republican Government; real liberty is never found in despotism or in the extremes of democracy."
- ✧ James Madison: "We may define a republic to be - a government which derives all its powers directly or indirectly from the great body of the people, and is administered by persons holding their offices during pleasure for a limited period, or during good behavior. It is essential to such a government that it be derived from the great body of the society, not from an inconsiderable proportion or a favored class of it: otherwise a handful of tyrannical nobles, exercising their oppressions by a delegation of their powers, might aspire to the rank of republicans and claim for their government the honorable title of republic."
- ✧ John Adams: "All good government is and must be republican."
- ✧ Fisher Ames: "Our sages in the great constitutional convention intended our government should be a republic which differs more widely from a democracy than a democracy from a despotism."
- ✧ Thomas Jefferson: "The best principles of our republic secure to all its citizens a perfect equality of rights."