



LIBERTY TREE

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And to the Republic . . .

Editorial by Dick Greb

There is a great deal of misunderstanding today about the form of government created by the Constitution of the United States. You would probably find that most people on the street, if asked, would answer that we have a democracy. And it's little wonder, since mainstream media constantly refers to it that way, while government officials regularly proclaim the spread of democracy around the globe as one of our country's missions (even if "we" must kill countless millions of citizens of foreign countries to give it to them).

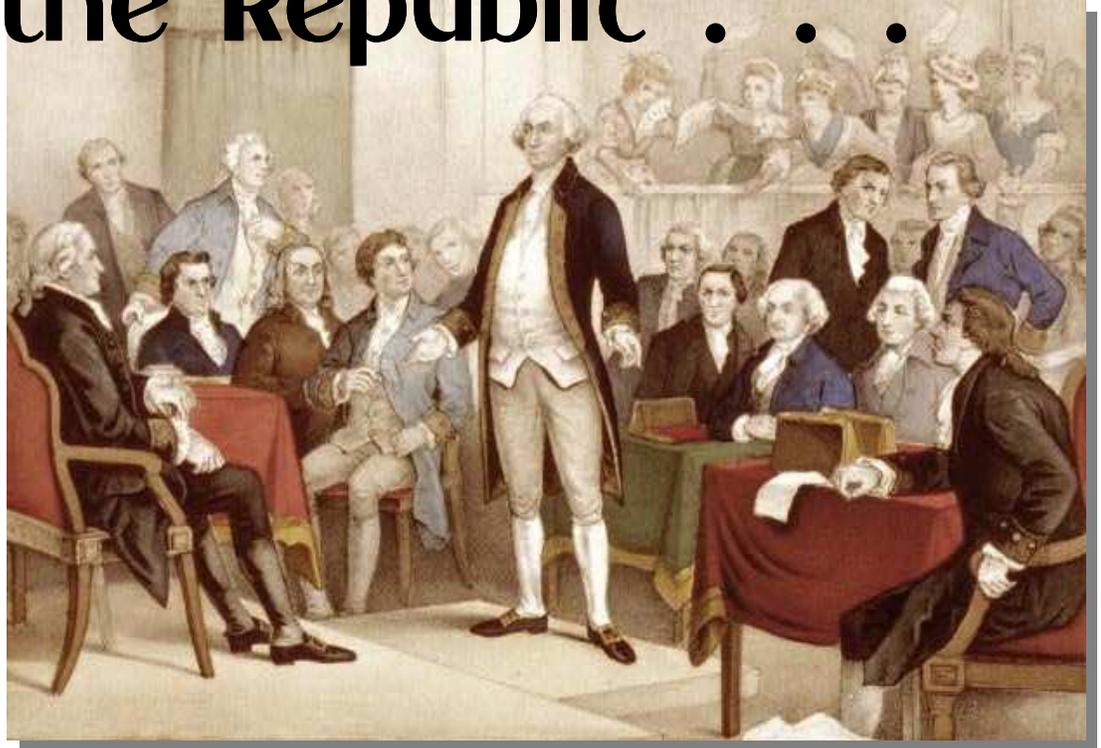
Patriots, on the other hand, would tell you that we have a republic, and NOT a democracy, and could probably recite the popular metaphor: "A democracy is two wolves and a sheep voting on what to eat for dinner."

Is there a real difference between the two forms of government? Here's a look at democracies and republics, especially with respect to the protection of our God-given rights — which is, according to the Declaration of Independence, the purpose of free governments.

Defining the forms

First, let's look at the definitions of the terms *republic* and *democracy*. Here's what *Corpus Juris Secundum* has to say:

Democracy. That form of government in which the sovereign power resides in and is exercised by the whole body of free citizens, as distinguished from a monarchy, aristocracy, or oligarchy. A government in which the sovereign power of the state is vested in the people as a whole, and is exercised as directed by them or their elected agents. (26A CJS 177)



Republic. A government for the protection of the citizen against the exercise of all unjust power; a government administered by a few, as the representatives of the people and for their benefit; an independent sovereign power. It has been distinguished from a "monarchy" see 58 CJS ; 843 note 84. (77 CJS 263)

This is how *Black's Law Dictionary*, 6th Edition, defines the terms:

Democracy. That form of government in which the sovereign power resides in and is exercised by the whole body of free citizens directly or indirectly through a system of representation, as distinguished from a monarchy, aristocracy, or oligarchy.

Republic. A commonwealth; that form of government in which the administration of affairs is open to all the citizens. In another sense, it signifies the state, independently of its form of government.

Republican government. A government in the republican form; a government of the people; a government by representatives chosen by the people.

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The people ... must be ever ready to ... repel or repair aggressions on the authority of their constitutions, [which are] the most sacred part of their property, as recognising and recording the title to every other [property they have].

— James Madison

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Viewpoints of the founders

It should be immediately obvious that the foregoing definitions do not provide much distinction between democracies and republics. But before you get the idea that *Black's* or *Corpus Juris* are just perverting the meanings of the terms, consider this passage from a letter written by Thomas Jefferson in 1816 to John Taylor:

Indeed, it must be acknowledged, that *the term republic is of very vague application* in every language. ... Were I to assign to this term a precise and definite idea, I would say, purely and simply, *it means a government by its citizens in mass, acting directly and personally, according to rules established by the majority; and that every other government is more or less republican, in proportion as it has in its composition more or less of this ingredient of the direct action of the citizens.*¹

As you can see, Founding Father Jefferson considered “direct action of the citizens” to be the ingredient

by which to measure how “republican” a government was. For this reason, Jefferson identified the judiciary as the least republican feature of the federal government, because judges are not elected and have life tenure. He likewise considered the Senate less “republican” than the House because Senators have longer terms and were not elected by the people. With this viewpoint, Jefferson would likely have considered the 17th Amendment to have made the federal government *more* republican.

Another Founding Father, James Madison, in Federalist Paper #10, defined a “pure democracy” as “a society consisting of a small number of citizens, who assemble and administer the government in person,” and a republic as “a government in which the scheme of representation takes place.” He then cites the principal differences between the two: “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.”

Memorial Services to be held for former LWRN host

Andrew “Ace” Earp, 58, former National Representative for Save-A-Patriot Fellowship in the early 1990s, and former host of Liberty Works Radio Network’s SLAM (Success, Law, America and Money) program, passed away on October 24th.

SAPF members were saddened at the loss of this champion of liberty. “He was a true patriot who stayed the course,” said John Kotmair, LWRN’s fiduciary.

Diagnosed over eight years ago with hilar cholangiocarcinoma, and given only weeks to live at the time, Earp eschewed radiation and surgery, opting instead to change his diet and lifestyle. As a result, he outlived all predictions and was able to fulfill his dream of seeing daughter Lauren, now 21, grow to graduate highschool.

“He had a great attitude, all the time. He had a very strong faith. It was almost impossible for him to become depressed for very long at all,” remembers Bill Huff, SAPF member and proprietor of lexrex.com.

Memorial services will be held at 1:00 PM on November 14, 2010, at the Spencerville Seventh-Day Adventist Church in Silver Spring, Maryland.



The essential element of a republic then, according to these gentlemen, is that the government is exercised by representatives of the people, and all the more so, when those representatives are elected by, and answerable to the people as a whole. The purpose of creating a republic, according to Madison, was to “check the inducements to sacrifice the weaker party or an obnoxious individual” which would result from factions — that is, “a common passion or interest ... felt by a majority of the whole.” In other words, the purpose was to protect the rights of the minorities against the common interests of majorities, something pure democracies didn’t do, making them “spectacles of turbulence and contention [which] 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.”² And yet, Madison



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1. *Writings of Thomas Jefferson*, Vol. 15, pg. 19.

While pure democracies allow for oppression of the minority by the majority, pure republics allow for oppression of the majority by a minority.

Oppression by majority or minority?

Notice then, that the primary failing of a *pure* de-

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also recognized that republics are susceptible to the same problem: “Men of factious tempers, of local prejudices, or of sinister designs, may, by intrigue, by corruption, or by other means, first obtain the suffrages, and then betray the interests, of the people.” However, he believed that the second difference mentioned above would mitigate the problem: “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.” But in this, Madison appears to have underestimated the resolve of such men as desire to rule over others.

mocracy – that it allows a majority of the people to oppress all the rest – is also present in a *pure* republic, since the delegation of power to fewer individuals only makes for a smaller number of them to make such a majority. In fact, because it takes less people to form a majority of that delegated group, it allows even a relatively small minority of individuals to oppress everyone. In our current system, it takes only 357 Congressmen – 67 Senators and 290 Representatives – to enact a law, even without the concurrence of the President. And when the President does concur, the number required drops to a mere 270 – the ‘prez’ and one more than half of each House. In this light, the above metaphor of wolves and sheep voting is as fitting to a republic as to a democracy. In fact, since the wolves always seem to manage to get into public office, three wolves voting on whether to eat sheep for dinner would probably be more accurate.

The point is that the “republican” form of government is *not* what protects our Liberties. While pure democracies allow for oppression of the minority by the majority, pure republics allow for oppression of the majority by a minority. Instead, our Liberty is protected by a combination of other factors. The first is that the Constitution limits the authority of government to certain specific and enumerated functions which by their nature operate to the benefit of all equally. The second is that those enumerated powers are divided up between not only the three branches of government, but the separate departments of each. This division of powers is meant, through the jealousy by which each participant would guard their own power from encroachment by all the others, to establish the structure of checks and balances needed to prevent consolidation of all power in a single tyrant.

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SAVE-A-PATRIOT FELLOWSHIP'S

Gather
Your
Harvest

THANKSGIVING
DINNER!

Give
Thanks

Saturday, November 20, 2010, 7:30 PM
12 Carroll Street, Westminster, MD.

Please bring a covered dish; the Fellowship will supply the turkey. Call receptionist at 410-857-4441 for details.



2. See *Federalist* #10. All Madison quotes, unless otherwise noted, are from this source.



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Your sacred property: the Constitution

The most important factor, however, is the official recognition, as embodied in the Declaration of Independence, that each one of us is endowed by God with inalienable rights that no person (nor combination of persons) has authority to infringe. If just this one factor was adhered to, then neither a democracy nor a republic could be used as a tool of oppression. If all laws enacted held sacred each person's rights to their Life, Liberty and the Pursuit of Happiness, then and only then would we be free from the tyranny of some over the others. Conversely, as soon as the sanctity of any single person's rights are violated, every one of us becomes fair game for the next round of infringement.

The protection afforded by this recognition of our rights in the Declaration of Independence and the Bill of Rights is *not* self-enforcing. We must all be watchmen, recognizing in the first step of every encroachment the loss of the whole principle, for once it's acceptable to transgress a right in one circumstance, then it's just a matter of degree to institute similar transgressions in others. James Madison summed up the issue rather eloquently:

The people who are the authors of this blessing, must also be its guardians. Their eyes must be ever ready to mark, their voice to pronounce, and their arm to repel or repair aggressions on the authority of their constitutions; the highest authority next to their own, because the immediate work of their own, and the most sacred part of their property, as recognizing and recording the title to every other. ³



Reflecting on Liberty at OKTOBERFEST

ANNAPOLIS — Defying gray skies, the band played on and Liberty Works Radio Network members engaged Oktoberfest attendees on October 2nd. Once again provoking surprise, laughter, and serious thought about their government through LWRN's 11-point civics quiz, LWRN volunteers were able to discuss the principles of Liberty with each newly awakening citizen.

Last year saw more receptive folks than ever; this year, that strong reception continued. We noted more people than ever before correctly identified the "Federal Reserve Note" as the currency used in the United States. Americans are catching on that they don't use Constitutional "dollars" — 371.25 troy grains of silver by weight — as a medium of exchange in the marketplace. This increasing awareness hopefully also reflects a growing distrust of the federal government and the banking system — both destructive of fairgoers' liberties.

Likewise, more people than ever before were able to identify the social security system as a "Ponzi scheme," showing growing awareness that the system is an unsustainable fraud.

One area, however, in which the public shows consistent confusion, year in and year out, is in understanding the role of the jury. Jury nullification — the power, even the duty, of the people to judge *the law* in every case — is still one of the best-hidden secrets in America. Many are likewise confused about the judges' role.

We must do more to inform the people how they can preserve their Liberty! Never give up. There ARE receptive and teachable Americans who care about our freedom, and it is for them that Liberty Works Radio Network exists.



3. "Government of the United States," *National Gazette*, February 6, 1792.